

Also, petition of Friends Church, for the Burkett-Sims bill; to the Committee on Interstate and Foreign Commerce.

By Mr. KRONMILLER: Paper to accompany bill for relief of Sarah Halley; to the Committee on Pensions.

By Mr. LAFEAN: Petition of Valley Grange, No. 1360, Patrons of Husbandry, for Senate bill 5842, for amendment of the oleomargarine law; to the Committee on Agriculture.

By Mr. LINDBERGH: Petition of H. F. McLane, of Annandale, Minn., protesting against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. MCKINNEY: Petition of business men of Seaton, Ill., against rural parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of business men of Milan, Ill., protesting against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Lincoln, Nebr., against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. MASSEY: Paper to accompany bill for relief of Aaron W. Dixon; to the Committee on Pensions.

Also, paper to accompany bill for relief of John N. West; to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of W. G. McKinzie; to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: Petition of Manufacturers' Club of Philadelphia, for a fair trial of the tariff board; to the Committee on Ways and Means.

Also, petition of National Business League of America, for San Francisco as site of Panama Exposition; to the Committee on Industrial Arts and Expositions.

Also, petition of American Federation of Labor for Federal inspection of locomotive boilers; to the Committee on Interstate and Foreign Commerce.

Also, petition of Phoenix Paint & Varnish Co., for the Heyburn paint bill (S. 1130); to the Committee on Interstate and Foreign Commerce.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of William J. Walsh; to the Committee on Invalid Pensions.

By Mr. MORSE: Petition of Central Labor Council, for legislation to curb immigration; to the Committee on Immigration and Naturalization.

Also, petition of citizens of the tenth congressional district of Wisconsin, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. OLDFIELD: Papers to accompany bills for relief of Josiah E. George and Lula B. Prentiss; to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of James W. Smith; to the Committee on Pensions.

By Mr. PADGETT: Papers to accompany bills for relief of John C. Dempsey and Thomas L. Richardson; to the Committee on Invalid Pensions.

By Mr. PETERS: Petition of American Peace Society for neutralization of the Panama Canal; to the Committee on Railways and Canals.

By Mr. REEDER: Petition of citizens of Kansas, against parcels posts; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Kansas, against a rural parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. ROBINSON: Petition of citizens of the sixth congressional district of Arkansas, against the proposed rural parcels post; to the Committee on the Post Office and Post Roads.

Also, paper to accompany bill for relief of Asa Crow; to the Committee on War Claims.

By Mr. SHEFFIELD: Petition of board of aldermen of Newport, R. I., favoring Senate bill 5677; to the Committee on Interstate and Foreign Commerce.

Also, petitions of Darius B. Dodge and 82 others, of Block Island, R. I.; the town council of Middleton, R. I.; Max F. Shade and 12 others, of Jamestown, R. I.; Business Men's Association of Providence, R. I.; Union Club of Wakefield; and Woonsocket Central Labor Union, for investigation of causes of tuberculosis in cattle; to the Committee on Agriculture.

Also, petition of Rhode Island Retail Grocers and Marketmen's Association, Providence, R. I., relative to the butterine bill; to the Committee on Agriculture.

By Mr. SHEPPARD: Paper to accompany bill for relief of George A. Bush; to the Committee on Claims.

Also, petition of Congress of Nations, by Albert Sydney Johnston Camp of Confederate Veterans, favoring arbitration; to the Committee on Foreign Affairs.

By Mr. SLAYDEN: Petition of citizens of Texas, against extension of parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. SWASEY: Petition of citizens of Wiscasset, Me., against parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. SULZER: Petition of the Trans-Mississippi Commercial Congress, for good-roads building; to the Committee on Agriculture.

Also, petition of Walla Walla Trades and Labor Council, relative to abandoned land of Fort Walla Walla; to the Committee on the Public Lands.

Also, petitions of High School Teachers' Association and Principals' Association of Graded Schools, for the teachers' retirement bill; to the Committee on the District of Columbia.

Also, petition of Wireless Association of Pennsylvania, against House bill 23595; to the Committee on Interstate and Foreign Commerce.

Also, petition of United States Custom Employees' Benevolent Association, for increase of salaries in the Customs Service; to the Committee on Appropriations.

By Mr. TAYLOR of Ohio: Petition of citizens of Ohio, against a local rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. TOWNSEND: Petition of citizens of Michigan, against rural parcels post; to the Committee on the Post Office and Post Roads.

## SENATE.

TUESDAY, January 10, 1911.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.  
The Journal of yesterday's proceedings was read and approved.

### ENROLLED BILLS SIGNED.

A message from the House of Representatives, by W. J. Browning, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 1872. An act setting apart a tract of land to be used as a cemetery by the Independent Order of Odd Fellows of Central City, Colo.;

S. 5362. An act granting to the city of Bozeman, Mont., certain lands to enable the city to protect its source of water supply from pollution;

H. R. 6867. An act to authorize the city of Sturgis, Mich., to construct a dam across the St. Joseph River;

H. R. 24786. An act to refund certain tonnage taxes and light dues; and

H. R. 25775. An act to authorize the Great Northern Development Co. to construct a dam across the Mississippi River from a point in Hennepin County to a point in Anoka County, Minn.

### PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented memorials of sundry citizens of Leslie, Idaho; Loretto, Minn.; and Oklahoma City, Okla., remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

Mr. GALLINGER presented a petition of the Central Labor Union of Lebanon, N. H., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented a petition of the Board of Trade and Merchants' Exchange of Portsmouth, N. H., praying that an appropriation be made for the rebuilding of the dry dock at the Portsmouth Navy Yard, which was referred to the Committee on Naval Affairs.

Mr. CULLOM presented memorials of sundry citizens of Mattoon and Delavan, in the State of Illinois, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Lodge No. 2538, Modern Brotherhood of America, of Creal Springs, Ill., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mails as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Council of North American Grain Exchanges, praying for the passage of the so-called Stevens bill-of-lading bill, which was referred to the Committee on Interstate Commerce.

Mr. DICK presented a petition of 2,556 employees of the Hocking Valley Railroad Co., in the State of Ohio, praying for the enactment of legislation authorizing higher rates of transportation for railroads, which was referred to the Committee on Interstate Commerce.

Mr. WETMORE presented a petition of the Central Labor Union of Woonsocket, R. I., and a petition of the Society for the Relief and Control of Tuberculosis, of Pawtucket, R. I., praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Retail Grocers and Market Men's Association of Pawtucket, R. I., praying for the repeal of the present oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

Mr. NELSON presented a petition of Zenith Lodge, No. 1, of Duluth, Minn., praying for the adoption of certain amendments to the present eight-hour law, which was referred to the Committee on Education and Labor.

He also presented a petition of Polar Camp, No. 4, Woodmen of the World, of Cloquet, Minn., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. OLIVER presented a petition of the Pennsylvania Society of Los Angeles, Cal., praying that San Francisco, Cal., be selected as the site for holding the proposed Panama Canal Exposition, which was referred to the Committee on Industrial Expositions.

He also presented a petition of the Philadelphia & Gulf Steamship Co., of Philadelphia, Pa., praying that New Orleans, La., be selected as the site for holding the proposed Panama Canal Exposition, which was referred to the Committee on Industrial Expositions.

He also presented a petition of Local Chapter No. 253, American Insurance Union, of Erie, Pa., and a petition of Local Camp No. 11, Woodmen of the World, of Wilkesburg, Pa., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

Mr. GAMBLE presented petitions of sundry commercial clubs and business firms of Aberdeen, Bellefourche, Deadwood, Hot Springs, Lead, Nisland, Rapid City, Redfield, Sturgis, and Yankton; of Lodge No. 61, Brotherhood of Railroad Trainmen; Division No. 213, Brotherhood of Locomotive Engineers; and of Lodge No. 170, Brotherhood of Locomotive Firemen and Engineers, all in the State of South Dakota, praying that San Francisco, Cal., be selected as the site for holding the proposed Panama Canal Exposition, which were referred to the Committee on Industrial Expositions.

Mr. BRISTOW presented memorials of sundry citizens of Goodland, Chetopa, Garnett, and Ravanna, all in the State of Kansas, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

Mr. KEAN presented a memorial of the Market Street Business Men's Improvement Association, of Paterson, N. J., remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Friends' Temperance Association, of Philadelphia, Pa., praying for the enactment of legislation to prohibit the interstate transmission of race-gambling bets, which was referred to the Committee on the Judiciary.

He also presented the petition of Mrs. Grace Nicoll, of Morristown, N. J., praying for the passage of the so-called children's bureau bill, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Tuckerton, N. J., praying for the enactment of legislation to provide for the relief and retirement of officers and men of the United States Life-Saving Service, which was referred to the Committee on Commerce.

Mr. BROWN presented sundry affidavits to accompany the bill (S. 8986) granting an increase of pension to Joseph W. Frank, which were referred to the Committee on Pensions.

He also presented sundry affidavits to accompany the bill (S. 8985) granting an increase of pension to William J. Perkins, which were referred to the Committee on Pensions.

Mr. SCOTT presented a petition of the Business Men's Association of Charleston, W. Va., praying for the repeal of the present oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

## REPORTS OF COMMITTEES.

Mr. McCUMBER, from the Committee on Pensions, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

H. R. 28435. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors (Rept. No. 946); and

H. R. 28434. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors (Rept. No. 945).

Mr. McCUMBER, from the Committee on Pensions, to which were referred certain bills granting pensions and increase of pensions, submitted a report (No. 947) accompanied by a bill (S. 10099) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to the committee:

S. 48. Eri C. Tuller;  
S. 75. Benjamin F. Harless;  
S. 280. George D. Salyer;  
S. 582. Thomas B. Hedges;  
S. 650. Cook Gamble;  
S. 830. George W. Rowe;  
S. 1746. Lydia C. Rose;  
S. 1804. Jonathan M. Ragner;  
S. 1939. Mary V. Eveland;  
S. 2150. Artemus Ward;  
S. 2536. Murray V. Livingston;  
S. 2729. William C. Lauscher;  
S. 2880. Jasper Blain;  
S. 2935. John E. Walters;  
S. 3088. Mortimer Stiles;  
S. 3238. Robert J. Hunt;  
S. 3352. Newcomb S. Smith;  
S. 3388. Frank Taylor;  
S. 3396. Emeline C. Wachter;  
S. 3713. John W. DeMott;  
S. 3729. William R. Hunter;  
S. 3818. William I. Powell;  
S. 3819. William H. Thompson;  
S. 3821. John Banfill;  
S. 3940. Henry Frank;  
S. 4117. Samuel F. Pate;  
S. 4120. Jesse Fisher;  
S. 4163. William S. Russell;  
S. 4158. Maggie Little;  
S. 4547. Samuel C. Bernhard;  
S. 4660. Samuel T. Warren;  
S. 4662. Max Lenz;  
S. 4669. Ellen E. Brock;  
S. 4686. Edward P. Payne;  
S. 4843. Samuel S. Jordan;  
S. 5098. Robert McCalmont;  
S. 5111. James F. Cross;  
S. 5240. Melvina White;  
S. 5321. Ella I. Jenkins;  
S. 5323. Morris H. Alberger;  
S. 5358. Daniel F. Lynch;  
S. 5452. John D. Slocum;  
S. 5683. Harrison Thompson;  
S. 5686. George W. Beasley;  
S. 5754. George W. Reed;  
S. 5796. Benjamin F. Brubaker;  
S. 5897. Robert B. Cross;  
S. 5922. James A. Rapp;  
S. 5964. Ann W. Ward;  
S. 6005. Ada May Blanchard;  
S. 6127. Thomas Griffin;  
S. 6147. Seth Nation;  
S. 6179. Joseph Burke;  
S. 6194. Charles E. McQueen;  
S. 6196. David Adamson;  
S. 6443. Jefferson Stanley;  
S. 6513. Albert Person;  
S. 6673. James N. Ballard;  
S. 6687. Henrietta Magee;  
S. 6716. John T. Rothwell;  
S. 6847. Albert A. Burlough;  
S. 6893. James H. Browning;  
S. 6961. Daniel P. Jenkins;  
S. 6997. David Heston;



S. 7025. Robert A. Tyson;  
 S. 7028. Amos Mardis;  
 S. 7051. Lorinda E. Thayer;  
 S. 7273. John C. Hussey;  
 S. 7295. Michael Sheehan;  
 S. 7324. Mathew W. Clark;  
 S. 7351. John A. Booth;  
 S. 7515. Margaret O'Dell;  
 S. 7812. Joseph A. Pennock;  
 S. 7858. Newton W. Hamar;  
 S. 7861. Charles H. Hahn;  
 S. 7863. Edwin L. Carr;  
 S. 7904. John Beeler;  
 S. 7921. Henry Oliver;  
 S. 8044. Hiram Mead;  
 S. 8130. John C. S. Burritt;  
 S. 8167. Frederick E. Partridge;  
 S. 8237. Daniel J. Haynes;  
 S. 8273. Anna Eliza Dunkelberg;  
 S. 8306. Sarah Coffin;  
 S. 8335. Charles H. Haskin;  
 S. 8362. Charles C. Hill;  
 S. 8363. Addis E. Kilpatrick;  
 S. 8367. Benedict Coomes;  
 S. 8434. Sarah A. R. Sumner;  
 S. 8435. Richard Webb;  
 S. 8506. James A. Colehour;  
 S. 8510. Fred A. Howard;  
 S. 8529. George W. Ray;  
 S. 8530. Charles A. Detrick;  
 S. 8536. Lorinda Herr;  
 S. 8557. William Landers;  
 S. 8559. John Barr;  
 S. 8588. Eugenia Clark;  
 S. 8596. William J. Long;  
 S. 8663. Edward Higgins;  
 S. 8666. Leonard N. George;  
 S. 8746. George E. Haladay;  
 S. 8785. Elizabeth E. Root;  
 S. 8788. James J. Garner;  
 S. 8799. Isaac J. Long;  
 S. 8814. William L. Laffer;  
 S. 8835. Kate F. Higgins;  
 S. 8839. Robert B. Horton;  
 S. 8840. George R. Bill;  
 S. 8911. Addie B. Crowell;  
 S. 8912. Edward M. Dixon;  
 S. 8913. Sewell D. Batchelder;  
 S. 8924. Henry Grebe;  
 S. 8971. Minnie Tuft;  
 S. 8973. Christian Unger;  
 S. 8974. Loyal F. Williams;  
 S. 8978. Joseph Vannatta;  
 S. 8980. William L. Gibson;  
 S. 9013. Franklin Boothe;  
 S. 9014. Henry C. Rode;  
 S. 9015. Albert H. Rogers;  
 S. 9019. James F. Robinson;  
 S. 9032. William Campbell;  
 S. 9069. George B. Little;  
 S. 9073. Mary E. Lobb;  
 S. 9085. Orlando C. McQueston;  
 S. 9118. Thomas J. Chilton;  
 S. 9119. Mary A. Edgar;  
 S. 9122. Alice Cole;  
 S. 9152. Elijah W. Smith;  
 S. 9185. Watson D. Maxwell;  
 S. 9187. James L. Parham;  
 S. 9221. Conrad I. Plank;  
 S. 9277. David G. Bliss;  
 S. 9289. David Wadsworth;  
 S. 9310. Jeannetta Scott;  
 S. 9317. George F. Falconer;  
 S. 9340. James C. Bence;  
 S. 9343. William J. Ritchie;  
 S. 9345. James E. Fenner;  
 S. 9353. Ira Trowbridge;  
 S. 9355. Michael Dillon;  
 S. 9358. Antimus King;  
 S. 9358. Ira T. Bronson;  
 S. 9379. John E. Bowen;  
 S. 9381. Mary H. Nye;  
 S. 9418. J. Murry Warren;  
 S. 9419. Annie E. Dunton;  
 S. 9484. George C. Snow;

S. 9485. Edwin R. Bonnell;  
 S. 9539. Jeremiah C. Gladish;  
 S. 9547. Frank Westmiller;  
 S. 9608. Mary J. De Moe;  
 S. 9620. William R. Keyte;  
 S. 9621. Enos Wright;  
 S. 9653. James O. Palmer;  
 S. 9684. Owen Thomas;  
 S. 9685. Calvin A. Fisher;  
 S. 9720. Mary B. Jenks;  
 S. 9731. Albert Otto;  
 S. 9750. Emily J. Swaney; and  
 S. 9764. Patrick O'Donnell.

Mr. McCUMBER, from the Committee on Pensions, to which was referred the bill (S. 7809) granting a pension to Sarah H. E. Ryan, submitted an adverse report (No. 949) thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. PENROSE, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 9850) to authorize the Board of Trustees of the Postal Savings System to rent quarters for a central office in the city of Washington, D. C., reported it without amendment, and submitted a report (No. 948) thereon.

Mr. WARREN, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment, and submitted reports thereon:

H. R. 18960. An act for the relief of Emanuel Sassaman (Rept. No. 950); and

H. R. 22829. An act for the relief of George W. Nixon (Rept. No. 951).

Mr. WARREN, from the Committee on Military Affairs, to which was referred the bill (S. 9331) to increase the efficiency of the Organized Militia, and for other purposes, reported it with an amendment, and submitted a report (No. 952) thereon.

Mr. WARREN. I am directed by the Committee on Military Affairs, to which was referred the bill (S. 7181) for the relief of George W. Nixon, to report it adversely. I ask for its indefinite postponement, as the subject matter has been covered in the bill just reported by me.

The VICE PRESIDENT. The bill will be postponed indefinitely.

Mr. WARNER, from the Committee on Military Affairs, to which was referred the bill (S. 9529) for the relief of Alexander Wilkie, reported it with an amendment and submitted a report (No. 953) thereon.

Mr. OLIVER, from the Committee on Claims, to which was referred the bill (H. R. 24291) for the relief of Cooper Walker, reported it without amendment and submitted a report (No. 954) thereon.

Mr. BURNHAM. I report from the Committee on Claims a large number of bills the subject matter of which has already been acted on. I move that the bills be indefinitely postponed.

The bills were postponed indefinitely, as follows:

A bill (S. 432) for the relief of Carlos Manjarrez;

A bill (S. 490) for the relief of Oliver P. Boyd;

A bill (S. 902) for the relief of the heirs or estate of Jackson Higginbotham, deceased, and others;

A bill (S. 924) for the relief of heirs of W. M. Gamel, deceased;

A bill (S. 934) for the relief of Otto Seiler, administrator of the estate of Carl Weiland, deceased;

A bill (S. 1112) for the relief of Julia D. Harris, administratrix of the estate of Stephen Daggett, deceased;

A bill (S. 1121) for the relief of the estate of Elijah Lumpkin, deceased;

A bill (S. 1126) for the relief of B. C. Thompson, of Lyons, Toombs County, Ga., for removing obstructions from the Oconee River, making it navigable;

A bill (S. 1339) for the relief of the estate of R. W. Isaac;

A bill (S. 1340) for the relief of the estate of Zachariah Claggett;

A bill (S. 1393) for the relief of the heirs of J. L. F. Cottrell, deceased;

A bill (S. 1395) for the relief of the estate of Nathan A. Davis;

A bill (S. 1397) for the relief of Emily Catherine Jones;

A bill (S. 1399) to carry into effect the findings of the Court of Claims in the case of St. John's Church, of Jacksonville, Fla.;

A bill (S. 1404) for the relief of the estate of Alfred L. Shotwell;

A bill (S. 1525) for the relief of Adam L. Elchelberger;

A bill (S. 1540) for the relief of the estates of J. W. Gunter and W. H. Gunter, both deceased;

A bill (S. 1672) for the relief of John Birkett;

A bill (S. 1827) for the relief of the heirs of John Linton, deceased;

A bill (S. 1902) to carry into effect the findings of the Court of Claims in the matter of the claim of Karoline Mulhaupt;

A bill (S. 1971) for the relief of Manuel Madril;

A bill (S. 2059) for the relief of Sophie M. Guard;

A bill (S. 2061) for the relief of Orlando B. Willcox and certain other Army officers and their heirs or legal representatives;

A bill (S. 2275) for the relief of Hyland C. Kirk and others, assignees of Addison C. Fletcher;

A bill (S. 2676) for the relief of the heirs of Dr. J. B. Owen;

A bill (S. 2678) for the relief of W. T. Dixon;

A bill (S. 2690) for the relief of the estate of Hardy H. Waters, deceased;

A bill (S. 2699) for the relief of the estate of George S. De Bruhl, deceased;

A bill (S. 2709) for the relief of the estate of Thomas A. Dough, deceased;

A bill (S. 2928) for the relief of the Cameron Septic Tank Co. (Inc.);

A bill (S. 2947) for the relief of heirs or estate of James Watson, deceased;

A bill (S. 3017) for the relief of the heirs of David W. Knight, deceased;

A bill (S. 3120) for the relief of the estate of Horace L. Kent, deceased;

A bill (S. 3121) for the relief of the estate of William L. Hollis, deceased;

A bill (S. 3123) to carry into effect the findings of the Court of Claims in the matter of the claims of George Boushell and others;

A bill (S. 3136) for the relief of Thomas B. Miller, legal heir of Milton R. Muzzy;

A bill (S. 3140) for the relief of the heirs of Thomas P. Mathews;

A bill (S. 3144) for the relief of the heirs and estate of James L. Miller, deceased;

A bill (S. 3159) for the relief of the Seaboard & Roanoke Railroad Co.;

A bill (S. 3563) for the relief of William J. Lewis;

A bill (S. 3573) for the relief of James Downs;

A bill (S. 3595) for the relief of the estate of William B. Ott, deceased;

A bill (S. 3602) for the relief of Mary E. Macgregor;

A bill (S. 3677) for the relief of heirs or estate of Elizabeth McClure, deceased;

A bill (S. 3716) for the relief of William W. Dewhurst;

A bill (S. 3799) for the relief of Benjamin F. Harris;

A bill (S. 4280) for the relief of the deacons of the Missionary Baptist Church, at Franklin, Tenn.;

A bill (S. 4331) for the relief of the estate of B. F. Larkin, deceased;

A bill (S. 4342) for the relief of the heirs of W. T. Garrett, deceased;

A bill (S. 99) for the relief of the estate of James Watson, deceased;

A bill (S. 101) for the relief of the estate of Jacob J. Foreman, deceased;

A bill (S. 1032) for the relief of John W. Heavey;

A bill (S. 2202) for the relief of John P. Bell, treasurer of State Hospital No. 1, of Fulton, Mo.;

A bill (S. 2779) for the relief of S. W. Langhorne and H. S. Howell; and

A bill (S. 3503) to reimburse Frank Wyman, postmaster at St. Louis, Mo., for embezzlement of money-order funds by clerk at said post office.

**BILLS INTRODUCED.**

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of Maryland:

A bill (S. 10100) requiring the Washington, Spa Springs & Getta Railroad Co. and the Washington Railway & Electric Co. to issue free transfers for passengers using their lines; to the Committee on the District of Columbia.

By Mr. FRYE:

A bill (S. 10101) granting an increase of pension to Frank Cleaves (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 10102) for the relief of Chief Machinist Richard B. Smith, United States Navy; to the Committee on Naval Affairs.

A bill (S. 10103) to grant an honorable discharge to Peter Howlet; to the Committee on Military Affairs.

A bill (S. 10104) granting an increase of pension to Sarah J. Bossert (with accompanying papers); to the Committee on Pensions.

By Mr. HEYBURN:

A bill (S. 10105) to authorize the exchange of certain lands with the Northern Pacific Railway Co. (with accompanying papers); to the Committee on Public Lands.

By Mr. BROWN:

A bill (S. 10106) granting an increase of pension to Cornelius S. Munhall (with accompanying papers);

A bill (S. 10107) granting an increase of pension to David Pickerell (with accompanying papers);

A bill (S. 10108) granting an increase of pension to Lester Walker;

A bill (S. 10109) granting a pension to Joseph P. Morris;

A bill (S. 10110) granting an increase of pension to Abel Buckingham;

A bill (S. 10111) granting an increase of pension to John H. Lennon;

A bill (S. 10112) granting an increase of pension to John F. King;

A bill (S. 10113) granting an increase of pension to Eber W. Fosbury; and

A bill (S. 10114) granting an increase of pension to Jacob Stege; to the Committee on Pensions.

By Mr. STEPHENSON:

A bill (S. 10115) granting an increase of pension to Franklin S. Woodnorth (with accompanying papers);

A bill (S. 10116) granting an increase of pension to Albert C. Jefferson (with accompanying papers);

A bill (S. 10117) granting an increase of pension to Giles B. Hathaway (with accompanying papers);

A bill (S. 10118) granting an increase of pension to Timothy O'Leary;

A bill (S. 10119) granting an increase of pension to Edgar W. Flanders (with accompanying papers);

A bill (S. 10120) granting an increase of pension to Horatio Nelson (with accompanying papers); and

A bill (S. 10121) granting an increase of pension to Norman Simonds (with accompanying papers); to the Committee on Pensions.

By Mr. WETMORE:

A bill (S. 10122) granting an increase of pension to Russell B. Johnson;

A bill (S. 10123) granting an increase of pension to Benoni Sweet (with accompanying papers); and

A bill (S. 10124) granting an increase of pension to Catherine S. Wales (with accompanying papers); to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 10125) granting an increase of pension to William M. Wall; and

A bill (S. 10126) granting a pension to Adele A. C. Wilson; to the Committee on Pensions.

By Mr. BURROWS:

A bill (S. 10127) granting a pension to Simeon Van Akin (with accompanying paper); to the Committee on Pensions.

By Mr. PAGE:

A bill (S. 10128) granting an increase of pension to Francis Young;

A bill (S. 10129) granting an increase of pension to William E. Stewart;

A bill (S. 10130) granting an increase of pension to Royal S. Childs;

A bill (S. 10131) granting an increase of pension to Frank E. Martell (with accompanying papers); and

A bill (S. 10132) granting a pension to Bethana Aseltine (with accompanying papers); to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 10133) for the relief of Herbert H. Russell; to the Committee on Claims.

By Mr. CHAMBERLAIN:

A bill (S. 10134) granting an increase of pension to Theophilus R. Bewley (with accompanying paper); to the Committee on Pensions.

By Mr. SCOTT:

A bill (S. 10135) granting an increase of pension to Samuel Welch (with accompanying paper); to the Committee on Pensions.

A bill (S. 10136) providing for the protection of the interests of the United States in lands and waters comprising any part of the Anacostia River, or Eastern Branch, and lands adjacent thereto, and for other purposes; to the Committee on the District of Columbia.



By Mr. FLINT:

A bill (S. 10137) granting a pension to Samuel S. Householder (with accompanying papers); to the Committee on Pensions.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. BURROWS submitted an amendment proposing to appropriate \$720 for the salary of one laborer in the Senate Office Building, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. WETMORE submitted an amendment proposing to appropriate \$30,000 for improving the harbor of refuge, Block Island, R. I., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. BOURNE submitted an amendment proposing to appropriate \$300,000 for the improvement of Tillamook Bar and Bay, Oreg., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

#### WITHDRAWAL OF PAPERS—JONAS O. JOHNSON.

On motion of Mr. HEYBURN, it was

Ordered, That the withdrawal of the papers filed in connection with Senate bill 15, to correct the military record of Jonas O. Johnson, is hereby authorized, no adverse report having been made thereon.

#### LEASING OF COAL LANDS IN ALASKA.

On motion of Mr. NELSON, it was

Ordered, That 2,000 additional copies of the bill (S. 9955) to provide for the leasing of coal and coal lands in the Territory of Alaska be printed for the use of the Senate document room.

#### RETIREMENT OF GOVERNMENT EMPLOYEES.

Mr. CUMMINS. Mr. President, at the last session the Senate adopted a resolution calling upon the Department of Commerce and Labor for certain information relating to the cost of retiring superannuated Government employees. That report is now in my hands. It was prepared under the Director of the Census, by Mr. Brown. There are in the report certain deductions made by Mr. Brown which the Director of the Census hesitates to include, thinking possibly that they are not in strict response to the order of the Senate. Inasmuch as I called for the report on behalf of the Committee on Civil Service and Retrenchment, I ask that the Senate accept the report as it is and that it be printed under the order of the Senate heretofore made, as the resolution of the last session provided for its printing.

Mr. SMOOT. Mr. President, I should like to ask a question of the Senator from Iowa. Did the resolution call for the printing of the report when received as a document for the use of the committee or for the use of the Senate?

Mr. CUMMINS. For the use of the Committee on Civil Service and Retrenchment.

The VICE PRESIDENT. There being no objection, the report will be printed as requested for the use of the committee.

Mr. CUMMINS subsequently said: Mr. President, in presenting a report this morning in response to a call upon the Department of Commerce and Labor, I asked that it be printed under a former order of the Senate. I overlooked the fact that the order formerly made has expired by its own limitation. I therefore ask now for an order for the printing of the report together with the accompanying illustrations.

The VICE PRESIDENT. Is there objection to reconsidering the vote by which the action was taken this morning and to the entry of an order to print de novo? The Chair hears no objection, and that order will be made.

Mr. CUMMINS. I assume that it will be printed in the same way and for the same purpose; that is, for the Committee on Civil Service and Retrenchment.

The VICE PRESIDENT. The Chair understands that to be the request.

#### SENATOR FROM ILLINOIS.

The VICE PRESIDENT. If there be no further morning business, the Chair lays before the Senate a resolution coming over from yesterday, which the Secretary will read.

The Secretary read the resolution (S. Res. 316) submitted yesterday by Mr. OWEN, as follows:

Resolved, That the so-called election of WILLIAM LORIMER on May 26, 1909, by the legislature of the State of Illinois was illegal and void, and that he is not entitled to a seat in the United States Senate.

Mr. CRAWFORD. Mr. President, I have read with great care and deep interest not only the report of the majority of the Committee on Privileges and Elections and the dissenting views presented by the minority, but I have read and reread all the testimony reported by the committee and the abstract and briefs of the able counsel employed to present each side at

the hearings. I have been reluctantly compelled to reach a conclusion in regard to the merits of the controversy which is adverse to that reached by the majority of the committee. The members of this committee enjoy the highest respect of every Member of this Senate, and my own colleague, for whom I have a regard which has grown stronger each day as we have worked together for the State we represent, has joined with the majority of the committee in the report now before us. Differing as I do and must from the conclusions reached by the majority of the committee, my confidence in and respect for the Senators who made it is such that I shall state my views with the full consciousness that Senators, like jurors and courts, may honestly differ upon both questions of fact and law, and that the giving of a dissenting opinion carries with it no feeling of resentment or hostility. The important thing in this case, in my judgment, Mr. President, is to get a correct view of the facts. When once the facts are clearly established and thoroughly digested it is not a difficult matter to apply known legal rules to them. I shall therefore undertake to analyze and review the facts in this case as I have sifted and arranged them after a very careful examination of the record presented to us by the committee.

Mr. President, two important witnesses have testified in these hearings among others. Both are Democrats and both voted for Mr. LORIMER. Both are deeply involved. One of them, Charles A. White, is a young man 29 years of age, who had been a lobbyist in 1907 at Springfield and was elected a member of the Forty-sixth General Assembly at the election of 1908; a single man without means; a spendthrift and dissolute character; his residence was at O'Fallon, Ill., near East St. Louis. Prior to his election he was a street railway conductor; "a man of very ordinary education and very ordinary literary attainments." (Record, p. 653.)

Immediately after his election he received several communications from the other witness to whom I have referred, Lee O'Neil Browne, of Ottawa, who had been in the legislature several terms and had just been reelected. Browne is a Democrat and the leader of a faction in his party. In his first letter to White he congratulated the latter upon his election and solicited his support as a candidate for the position of "minority leader" in the legislative session soon to be held. It appears that under the constitution or statutes of Illinois, one or both (p. 659), the minority party is entitled to representation upon the various State boards, and that in voting for members of the house of representatives the legislative districts are each represented by three members, and a voter may cast a vote for each of three candidates, or, if he desire, he may consolidate his votes and give them all to one candidate only, the purpose being to insure minority representation, or representation of the minority party, in the legislature (p. 586).

This enables the minority to elect at least one of three members from each district. (See record submitted by the committee, pp. 701, 702.) The position of minority leader is much sought after, because through him the minority presses its claims to a division of spoils awarded to the minority party in the distribution of patronage. Browne is an unmarried man, 44 years of age, and a lawyer by profession (p. 651). He was an aggressive candidate for this position.

At the primary election held in August, 1908, under the provisions of a primary-election law then in force in Illinois, there were four Republican candidates seeking indorsement from the voters of that party as candidates for United States Senator. These candidates received the following votes, respectively: Albert J. Hopkins, 168,305 votes; GEORGE EDMUND FOSS, 121,110 votes; William E. Mason, 86,596 votes; William G. Webster, 14,704 votes. Lawrence B. Stringer was the only Democratic candidate before the primaries and he received the vote of his party there. (Record, p. 35.)

Notwithstanding the indorsement of Albert J. Hopkins by the Republican voters at the primary, Mr. LORIMER, who had not been a candidate for Senator at the primaries, was bitterly opposed to his election, and went to Springfield in person during the session of the legislature with the determination to defeat him. It is also clear from the record that Mr. LORIMER was determined to organize the legislature against Hopkins and Gov. Deneen. For the purpose of securing control of the organization of the house, the Lorimer Republicans made a combination with the Democratic members and elected a close friend of LORIMER and a political enemy of Senator Hopkins—Edward Shurtleff, a Republican—speaker.

All but two of the Democratic members voted for Shurtleff. He could not have been elected speaker at all except for this most unusual and unnatural combination with the members of an opposing party.

A game was being played in which, at the very beginning, all party principle was abandoned, the expression of the popular

vote at the primary was unceremoniously disregarded, and the control of the house was seized by unscrupulous and unprincipled men with dark-lantern schemes to promote.

Shurtleff was elected speaker as the first step in a corrupt program. I do not undertake to say that every man who supported Shurtleff for speaker knew that he was taking part in a corrupt deal. Undoubtedly plausible reasons were given which persuaded some of these men to support him honestly, but the leaders on both sides who conceived the idea of bartering away all party loyalty and all regard for the action of the 168,305 Republican voters who had expressed a preference in the primaries for Albert J. Hopkins, by making this sort of combination in order to organize the house against him and against the Republican governor of the State, were disloyal and unscrupulous men. This was the first move on the checkerboard in the corrupt game they were playing.

The next move was to install Lee O'Neil Browne in the position of minority leader of the Democratic minority in the house. Charles A. White was one of Browne's ardent supporters. Bear that fact in mind. So, also, were the following men whose names, along with that of White, are steeped in indescribable infamy: H. J. C. Beckemeyer, Michael S. Link, Joseph S. Clark, Robert E. Wilson, Henry A. Shepherd, Charles S. Luke, John Henry De Wolf, John Griffin, Manny Abrahams, and others of their kind.

In the Democratic caucus Browne, by the support of these men and other members from Chicago, was elected minority leader against a man named Tibbit. The vote was 39 to 25, but the Tibbit men refused to accept Browne as their leader and bolted the caucus. After he was elected, two of the Democrats who had voted for him refused to follow Browne further, so that there remained only 37 Democratic members who acknowledged him as the leader of their faction. The remaining Democratic members were intensely hostile to him. Nevertheless, he had a band of about 30 members who permitted him to deliver their votes in one form and another. The organization of this group and the securing of the bargain and delivery of their votes by Browne was the next important step in the corrupt scheme which ripened into bitter and poisonous fruit later on. Speaking of the mastery he secured over his followers, Browne himself testified:

Well, in this transaction I might say the bellwether, so to speak, was Manny Abrahams—Emanuel Abrahams—a Chicago saloon keeper. He is the first on the list, you will see, the first Democrat, and he was a very strong and staunch adherent of mine, and whether right or wrong, he believed what I did was right, and whenever they saw Manny Abrahams—those who wanted to know how I was going to vote—saw Manny Abrahams vote one way, that settled it. (Record, p. 665.)

With Shurtleff, a bitter enemy of Senator Hopkins and a political henchman of Mr. LORIMER, in the speaker's chair as a result of a combination with the Democrats, and with Lee O'Neil Browne in command of a group of 30 men like White, Beckemeyer, Link, Luke, Clark, Shepherd, De Wolf, Abrahams, Griffin, and Wilson to follow him upon the giving of a signal whether right or wrong, the corruptionists were certainly making headway in the house. They were not without tools in the senate, either. Senator John Broderick, a saloon keeper from Chicago, was the handy man there, and men like Senators Holstlaw and Pemberton were not difficult to reach. Broderick from Chicago and Holstlaw from southern Illinois were Democrats who knew how to get their share of any loot in sight. Broderick was a close personal friend and admirer of Mr. LORIMER, so he says, and Holstlaw loves the filthy lucre more than he does his honor. (Record, p. 348.)

To show what kind of men these senators were, I quote the following from a signed confession made by Holstlaw in regard to his connection with the purchase of some furniture for the senate and house assembly rooms at Springfield:

Q. Who constituted the committee?—A. Secretary Rose is chairman and Representative Pierce is secretary, and Senator Pemberton and Representative J. O. S. Clark and myself were a part of the commission.

Q. You may state any conversation you may have had with your associates on the committee, or any of them, about whether you would get anything out of the letting of the contract for yourselves.—A. They, both of them, Pemberton and Clark, said we would get something out of it.

Q. Did you afterwards have any conversation with Mr. Freyer or Mr. Johnson on the same subject; and if so, what was said between you and them on that subject?—A. Mr. Freyer first asked me what I would want. I think that was what he said. I can hardly recall what he said to me. I do not know what I did say to that, but we never finished talking. But I ought to say—I do not know whether I told him or not—I think he asked me what I would want out of it, and I think I gave him an evasive answer, and I did not want to do anything of that kind; then, when he got ready, he said: "You go ahead and fix it up with Mr. Johnson; whatever he does is all right." That is all I remember that he said.

Q. Did you afterwards agree with Mr. Johnson how much you were to have?—A. Yes.

Q. How much did Mr. Johnson agree to give you?—A. \$1,500.

Q. When was it to be paid?—A. After the furniture was received.

Q. Did Mr. Johnson say anything to you on the subject of what he was paying anyone else on the committee; and if so, what did he say?—A. He said that was more than he was paying anyone else, and he said that, if I remember right, he said \$1,000 was what he was going to give Clark and Pemberton.

Q. Did you vote for LORIMER for United States Senator?—A. I did. Q. Before the voting came off, was anything said to you about paying you anything for voting for LORIMER?—A. There was.

Q. Who talked with you on that subject, and what was said?—A. Senator Broderick, of Chicago. He said to me: "Mr. LORIMER is going to be elected to-morrow"—that is as well as I can remember the date—and he said, "There is \$2,500 for you if you want to vote that way;" and the next morning I voted for him.

Q. Did you tell Mr. Broderick that you would vote for Mr. LORIMER?—A. I do not know whether I did or not, but I think I did.

Q. Did you afterwards receive any money from Mr. Broderick; and if you did, when and where was it?—A. I received \$2,500 in his office at one time, and I do not know whether I received the other at the same time or not, but I rather think it was at another time, I received about \$700; I think it was about that.

Q. What was the \$2,500 for?—A. It was for voting for LORIMER.

Q. And what was the \$700 for?—A. Well, he never said, and I did not ask him. He said there was that much coming to me, and handed it to me; that is all that was said about it.

The J. O. S. Clark referred to by Holstlaw in this statement is the Democratic house member who, with others, met Lee O'Neil Browne in St. Louis on June 21 and Robert E. Wilson on July 15, after the legislature which elected Mr. LORIMER had adjourned, from the first of whom each received \$1,000 in cash and from the second of whom each received \$900 in cash, according to the overwhelming preponderance of the testimony in this record, as I construe it. (Record, p. 348.)

It seems to be conceded on both sides that there was a corruption fund at Springfield, commonly known as a "jack pot," furnished by interested parties and used to buy and sell the votes of members of the legislature and to procure the passage or the defeat of legislation, according to the wish of the parties contributing the fund, and that the jack pot was divided among the members who had voted in the right manner to entitle them to share in it after the close of the session, and that this corrupt practice had prevailed at Springfield for some years. Judge Hanecy, counsel for Mr. LORIMER, almost admitted this, when arguing against the admission of testimony regarding this jack pot, on the ground that it was foreign to the issue under investigation. He was the first to mention the existence of a jack pot when, on page 42 in the proceedings before the committee, he said:

The matter they want to get at is what is called a jack pot, or something else that is in no way connected with the senatorship. \* \* \*

And on page 43:

It is not competent, and can not be, that the other matters had to do with the election of a United States Senator, as Mr. Austrian says, because some men got money for doing other things, and the system, he says, was so that they could get money for other things, and the other things have no relation to the senatorship.

On page 46:

The jack pot, or something they got for some other things, but not for voting for United States Senator.

White testified, page 47:

I had heard rumors of other matters, and I requested Mr. Browne at that time to tell me or inform me what I was to receive from "other sources," and, as I understood it, that was the understanding, that I was to be taken in on the whole matter for voting for Mr. LORIMER. I had not been taken in or informed as to any other matters up to that time. It was through the agreement I entered into with Mr. Browne to vote for Mr. LORIMER that I was offered the other consideration.

Senator HAYBURN. You were offered a thousand dollars if you would vote for him?—A. Yes, sir.

Senator BURROWS. Now, were you offered any other consideration?—A. Yes, sir: I was told I would receive about that much or a little more from the jack pot or other sources later on, and he stated—

Q. For what purposes?—A. Well, he did not state. There was no purpose at all. From other sources, that is all.

Senator HAYBURN. The jack pot was divided among the members of the legislature, I suppose—the legislative members?—A. I presume so from what I heard.

Senator HAYBURN. Were you to share in the jack pot except in the event you voted for Mr. LORIMER?—A. I had not heard of it before, Mr. Senator. Well, I had heard that there was money raised, but I had not been informed or taken in on any such proposition.

Q. For what purposes had money been raised that you heard of?—A. I was told by certain members that had been there before that there was a split up at the end of the session, and that there had been an established precedent.

Q. For what purpose?—A. Well, sir, I don't know, except for strangling of legislation or killing of legislation or the passing of legislation—I don't know. That was the understanding, and Mr. Browne did not tell me from what source the money came, and we did not discuss that phase of the question whatever.

Q. Who distributed the jack pot?—A. I received my money from Mr. Wilson, a member of the legislature.

Senator GAMBLE. You had heard of the jack pot prior to the 24th or 25th of May, 1909?—A. Not the jack pot of this session. I have heard of jack pots in the previous sessions.

Senator BURROWS. That was the fund that was devoted to the matters of legislation?—A. Well, it was generally understood, but I did not know of any legislation it had been put up for, or anything of that sort. I had heard afterwards that there were bills that money had been put up for and that the governor had vetoed, and so on (p. 48).

Mr. HANECY. May I suggest—



Now, this shows that Judge Haney realized that that jack-pot condition absolutely existed there. Judge Haney said:

May I suggest that the witness be asked if he did not know that the jack pot was made up of money which was paid in by other people who wanted legislation or who wanted legislation killed? That would probably clear up the atmosphere.—A. I did understand that at previous times, but I did not know at that time (p. 50).

Judge Haney apparently conceded that a jack pot was created by corporations, firms, and individuals interested in killing or promoting legislation, as, for instance, the furniture company which bribed Holstlaw, Clark, and Pemberton; the great railway companies whose lines enter Chicago, and the great packers. He insisted, however, that its existence was immaterial to the inquiry pending before the committee, which he contended must be limited to direct evidence of bribery in the purchase of votes for Mr. LORIMER (p. 96). Browne, Shurtleff, Broderick, and others, who had been in previous legislatures at Springfield, undoubtedly knew of this jack-pot method of corruption. White, who had been a lobbyist during the previous session, knew of it. Holstlaw, Pemberton, and Clark, as members of the furniture committee, made its acquaintance, and the very atmosphere at Springfield seems to have been tainted by it. So it is clearly established that there was a corruption fund known as the jack pot, and that the men who disbursed it also handled the boodle used to buy votes for Mr. LORIMER. The forming of this community of interest was the next move in the gum-shoe campaign for his election. The proof is ample on this point. For instance, Browne paid White \$100 before he left Springfield, and on June 16, at the Briggs House, in Chicago, he paid him \$50, and on the following morning \$850, making \$1,000 in all as his "Lorimer money." He told White that "he would be in St. Louis in a few days to give the southern Illinois members their Lorimer money" (pp. 54, 55). He was to meet White in St. Louis a month later to pay him his share of the jack-pot fund, but became ill (p. 56), and Representative Robert E. Wilson went to St. Louis in his stead. On July 14 Wilson wired White to meet him the following day in St. Louis. The identical telegram is found in page 56 of the record. White did so, and in the bathroom of Wilson's room in the Southern Hotel, on July 16, Wilson gave White \$900 in cash—nine \$100 bills—saying that was all of it, and he was glad to be relieved of the burden; that Browne was sick, and that he had to come down for Mr. Browne (p. 81).

On June 21 at St. Louis, by appointment, Browne met Representatives Beckemeyer, Shephard, Michael S. Link, Charles S. Luke, and Joe Clark. It is shown by direct and positive evidence that on that day at the Southern Hotel in St. Louis he paid Beckemeyer \$1,000 in \$50 bills, saying, "This is Lorimer money" (p. 227), and he handed a package containing \$1,000 to Representative Link at the same hotel on the same day (p. 281), saying, "This is coming to you" (p. 308). Charles S. Luke is dead, but his widow testified that some time after the legislature adjourned in June, 1909, Mr. Luke received a telegram from Robert E. Wilson to meet him in St. Louis; that she saw the telegram and heard it read, and that after receiving it her husband went to St. Louis. She also testified that before he went to St. Louis, after receiving the telegram from Wilson, her husband had been away from home, but she does not know where, and that upon his return she saw him have \$950 in bills, she thinks in twenty-dollar bills (p. 495).

On July 16, when Wilson met White at the Southern Hotel in St. Louis and paid him the \$900 jack-pot money, Representatives Beckemeyer, Clark, Luke, Shephard, and Link, by special invitation, were also there. Beckemeyer and Link both testify that in the bathroom of his room in the Southern Hotel Wilson gave to each of them \$900 in cash (pp. 228-229, 283-284), and Beckemeyer says that when Wilson paid him his \$900 he remarked that he had a \$500 bill and he was instructed to give that to Shephard (p. 229).

Now, here is a most remarkable coincidence:

On identically the same day—June 16—that Browne met White at the Briggs House to pay him the \$1,000 Lorimer money Holstlaw, upon the invitation of Broderick, came to Chicago from his home in southern Illinois and Broderick paid him the \$2,500 promised him if he would vote for LORIMER (pp. 197-199). It was paid to him in cash in the office of Broderick's saloon, in Chicago, and in July following Holstlaw made a second visit to Broderick and the latter paid him \$700 more in cash (pp. 200, 207). The first was pay for his vote for LORIMER and the second was his share of the jack-pot money. This clearly shows a complete understanding and full cooperation between the men who were corrupting members to vote for LORIMER and the men who were using a jack-pot fund for general debauching and corrupting purposes. In fact, the same men were representing both the LORIMER interests and the interests which, by the corrupt use of money, were seeking to

strangle legislation regarded as inimical. To my mind the evidence shows this to have been the true situation beyond question. I maintain therefore that these three facts are all correlated and that they are sequences which must be kept in mind in order to properly understand the maneuvers which are disclosed in the evidence presented to us here.

The three facts which I have in mind are the following: First, the election of an anti-Hopkins man and a LORIMER Republican as speaker by means of Democratic votes, in order that the LORIMER men might control the organization of the House; second, the election of Lee O'Neill Browne as the absolute dictator of a faction consisting of about 30 Democratic members of the house for whom he could make corrupt and unscrupulous deals and whose votes he could deliver; third, a complete understanding between the men who handled the jack-pot fund in both the senate and house and the men who were furthering the campaign of Mr. LORIMER for election to the office of United States Senator and the formation of a complete union for cooperation between them. It is perfectly apparent, to my mind, that after these three steps, which were necessary to the success of Mr. LORIMER, had been taken, Browne and Shurtleff and LORIMER made a most complete and thorough canvass of the entire membership of the legislature to find how many votes they could secure and to ascertain the means which should be taken to secure a sufficient number. Browne, in the house, and Broderick, in the senate, were charged with the work of corrupting all Democratic members who could be reached in that way. I see no escape from this conclusion. Browne admits that two or three weeks before Mr. LORIMER was elected Speaker Shurtleff came to him to ascertain how many of his fellows would vote for LORIMER (pp. 592-594).

Q. Now, after this conversation with Mr. Shurtleff, did you consider the proposition which he made, or suggestion?—A. I did.

Q. You gave it very serious thought?—A. Yes, sir (p. 594).

Q. Now, after you made up your mind and after your talk with Mr. Shurtleff and weeks or few days of consideration by yourself, did you have any talk with Mr. LORIMER with reference to his candidacy?—A. Yes, sir.

Q. When, for the first time?—A. I can not tell you.

Q. Can't tell us how soon after you made up your mind to be with him that you had a talk with him?—A. No; because I did not notify him first.

Q. Who did you notify first?—A. My recollection is that I gave Mr. Shurtleff an answer (p. 594).

Q. And you told Mr. LORIMER of that fact?—A. Conditionally.

Q. There was a condition?—A. Yes.

Q. And what was that condition?—A. I stated to Mr. Shurtleff, and I stated afterwards to Mr. LORIMER, that I would not consent to having a single one of the Democrats that I had any influence with cast a vote for Senator LORIMER unless his election was an assured thing; that I would not have those votes cast away absolutely (p. 595).

The purpose of this condition is manifest. The votes would have a commercial value if they secured LORIMER's election; otherwise, they might be of no value to him. From that time on the meetings between Browne, Shurtleff, and LORIMER were quite frequent. They conferred every night. Sometimes the conferences lasted for hours and sometimes there were a dozen of them in an evening. Browne finally assured LORIMER that there would be 30 Browne Democratic votes for him (pp. 596-597), provided, of course, that LORIMER could guarantee that with these 30 Democratic votes he could be elected upon one roll call.

The canvass to secure these votes was made during the two weeks which preceded the election of Mr. LORIMER on the 26th day of May. It was during this time that the following incidents occurred among others, which clearly show how the necessary votes were secured.

On the night of May 25, the day before Mr. LORIMER was elected, a Democratic member of the house, Mr. Jacob Groves, while lying in bed in his room, heard a gentle rap at his door. He called out, "Who is there?" and the answer came back, "A friend." Mr. Groves opened the door and the visitor came into his room. It was Douglas Patterson, an ex-member of the legislature. He told Mr. Groves that he came to interview him on a matter and wanted him to keep it quiet. He first wanted to know if Groves was a Mason, and Groves answered that he was not. He then asked if he was an Odd Fellow and Groves answered "Yes." Patterson then went on to say that some 40 or more Democrats were going to vote for LORIMER the next day and wanted to know if Mr. Groves could see his way clear to do the same; that it might be a good thing for both of them, if Groves would do so. Groves replied, "There isn't enough money in Springfield to hire me to vote for BILL LORIMER." Patterson said, "Please put down the transom," but Groves said, "I don't care whether the transom is down or not, as far as I am concerned, and I don't care who hears what I have to say on this matter." Patterson then walked out of the room (p. 415). This testimony is uncontradicted.

Henry Tyrrell, a Republican member of the house, says he met John Griffin, a Democratic member from Chicago, who

voted for LORIMER on May 26. He met Mr. Griffin a day or two before the vote was taken, and Griffin asked him to vote for Mr. LORIMER. Tyrrell asked Griffin what there would be in it, and Griffin replied, "A thousand dollars, anyway" (p. 498). Tyrrell was a Republican and was simply pumping Griffin; he voted for Hopkins.

George W. Myers, a very reputable Democratic member of the house, testified that a short time before the roll was called on May 26 Browne sent a page to him, who said that Mr. Browne wished to see him; that he went to Mr. Browne's desk, and the latter said to him that they were going to elect LORIMER that day and that he would like Myers to go with them. Mr. Myers said, "Lee, I can't do it." Browne then said to him, "There are some good State jobs to give away and the ready necessary." Myers replied, "I can't help it; I can't go with you." Browne then told him that the speaker wanted to see him. Mr. Myers went and saw the speaker, who told him they were going to elect LORIMER that day and requested him to go with them, but Myers refused and went back to his seat (p. 312). He understood the words "ready necessary," as used by Browne, to mean cash.

I want to be fair. Mr. LORIMER has two witnesses who undertook to testify against that testimony of Mr. Myers. What is it? A little page who stood at Browne's desk during the roll call in the joint session when LORIMER was elected says he was standing there keeping the roll call, and that Mr. Myers did not go up to Browne's desk. A Democratic member named Alschuler, who sat back a couple seats or more behind Mr. Browne, says that Mr. Myers did not go up to the desk.

Now, of what value would testimony be here if one of these pages called on the witness stand in October, 1910, should say that on the 26th day of May, 1909, Senator McCUMBER did not go over to the desk of Senator BACON? They could not remember seeing him do it; and that is all their testimony amounts to, and all that it can amount to.

Not one single suspicion is cast upon the character and manliness of Mr. Myers, who gave that testimony. He seems to be a respectable citizen of the State of Illinois and a member in good standing of the Democratic Party. I am not satisfied that the mere statement of a page and the mere statement of a close friend of Mr. LORIMER, and a bitter enemy of Senator Hopkins, who sat several seats in the rear, saying that he did not see Mr. Myers go to Mr. Browne's desk, is of any value as testimony to overthrow the direct, positive testimony of the man who knew, who says that he did go to Mr. Browne's seat, and Mr. Browne solicited his vote, and told him they had "plenty of jobs and the ready necessary."

On the night of May 25, Senator Broderick met Senator Holstlaw and told him they were going to elect Mr. LORIMER the next day, and that if Senator Holstlaw would vote for him there was \$2,500 in it for him. Holstlaw promised to, and did vote for Mr. LORIMER (p. 197), and Broderick subsequently paid him \$3,200, including the \$700 paid out of the jack pot. That very night (May 25) White swears that Browne assured him that he would get \$1,000 for voting for LORIMER and an equal amount from "other sources" (p. 50). White voted for LORIMER the next day, and afterwards received \$1,900—\$1,000 Lorimer money and \$900 jack-pot money. Link testified that some days before May 26 two men from Madison County asked him to take a carriage ride with them, in which they discussed LORIMER with him, and asked him to go to Mr. LORIMER with them, which he did, and that in his interview with LORIMER he promised to vote for him (pp. 278, 280, 310); that a few days later Browne approached him in LORIMER's behalf, and he said to Browne, "I beat you to it. I promised Mr. LORIMER a week or 10 days ago, personally" (p. 278). Link voted for LORIMER, and afterwards got \$1,000 from Browne and \$900 from Wilson. This, of course, was Lorimer money and jack-pot money. Beckemeyer testified that on the night of May 24 he was called to Browne's room, and Browne showed him a list of Democrats who, he said, were going to vote for LORIMER, and solicited his vote. Beckemeyer agreed to do so if the others were going to, and he made inquiries enough to satisfy himself, and so voted for LORIMER. He received \$1,000 from Browne and \$900 from Wilson (p. 225), exactly the same as the other house members already mentioned.

Shephard says that about a week before LORIMER was elected Browne solicited his vote for LORIMER, and that he agreed to consider it if he could have his wish about the appointment of the postmaster in his town (p. 317); that on the morning before LORIMER was elected Browne told him that Mr. LORIMER would make him the promise about the post-office appointment which he wanted, and took him to the speaker's room, where Mr. LORIMER was; that Mr. LORIMER promised to do all in his power to prevent the appointment of Shephard's enemies to the

post officeship in his home town, Jerseyville, and he then voted for LORIMER (pp. 317, 318). He admitted that soon after the adjournment of the legislature Browne wrote or wired him to meet him at the Southern Hotel in St. Louis, and that he did so June 21 (p. 319). He also admitted that he met Wilson at the Southern Hotel in St. Louis on July 15 (pp. 320, 321). He admitted that he was called into the bathroom by Wilson. Both of these trips to St. Louis were on the same day that Browne and Wilson met the other hoodlums there and paid them their swag, and Beckemeyer tells us that Wilson told him that he had a \$500 bill which he was directed to give to Shephard. Joe Clark, who was on the corrupt furniture committee—a Democrat who voted for LORIMER—and Luke, whose wife saw him counting \$950 in bills after he had been away from home somewhere, and who was another Democrat who voted for LORIMER, both met Browne, along with their confederates, in St. Louis on June 21, and afterwards met Wilson there with the others on the 15th day of July following, and both were in Wilson's room in the Southern Hotel when they, one after another, were called by him into the bathroom and paid their share of the jack-pot swag. Of course, they were implicated as deeply as the others. There is no escape from that conclusion. De Wolf, another Democrat belonging to the Browne faction who voted for LORIMER on May 26, said that he followed Browne's leadership. This is the man whom White claims he met at the hotel bar in Springfield the night before LORIMER was elected, and who, while drinking with him, said: "Have you been up to the trough yet?" adding, "I have already been up to the trough and got mine" (p. 337). De Wolf says he was a poor man, and that his object in going to the legislature was to be honest and save \$1,000.

That is just exactly the amount they were giving him an opportunity to save. He says he tried on different occasions to get enough Democrats to elect Mr. Hopkins, and that finally Mr. LORIMER came to him and he told him he would vote for him (p. 344). He said he was ready to vote for Mr. Hopkins until he heard that Hopkins said he would not accept a Democratic vote (p. 345). He admitted that in talking about the matter he had probably said to Beckemeyer and Mr. English that he was from Missouri, and they would have to show him (p. 383).

On August 9, 1909, De Wolf, who was known to be a poor man without money, bargained for a piece of real estate and made a cash payment on it of \$600 (pp. 339, 341).

On May 26 Mr. LORIMER received 108 votes, 53 Democratic and 55 Republican votes. He received 6 Democratic votes in the senate and 47 Democratic votes in the house. There are 204 members of the Legislature of Illinois in a vote on joint ballot. On May 26 there were present and voting 202 members, of which Mr. LORIMER received the votes of 108. In this 108 votes are the votes of White, Browne, Broderick, Wilson, Holstlaw, Beckemeyer, Link, Luke, Shephard, Clark, and De Wolf, all of whom are Democrats, and, in my opinion, the vote of each was tainted with fraud and corruption. White, Holstlaw, Beckemeyer, and Link confessed to receiving money designated as "Lorimer money," as well as part of the jack pot. Shephard, Luke, and Clark might as well have admitted it, because the evidence as to their guilt is overwhelming. Mrs. Luke saw Luke counting \$950 in bills after he had been away from home in response to a request of Browne that he meet him; when Beckemeyer was in the bathroom with Wilson, the latter said he had a \$500 bill he was directed to give to Shephard. While in St. Louis that day, Shephard visited his safety vault in the Mercantile Trust Co.'s place (p. 321). Clark told White that Link would have voted for LORIMER for \$500, but that he got Link to hold out and that by doing so they got \$1,000 each (pp. 82, 412). Luke is dead, and proof concerning admissions by him were excluded as incompetent and hearsay (p. 301). In his published statement White claims that while they were all at St. Louis to get their share of the jack-pot money Luke admitted that he received \$1,000 from LORIMER and complained that \$900 was not a fair division of the jack pot (p. 11). Clark, after he voted for LORIMER, bought two diamonds (p. 401). Representative Powers died, and there was due him from the State at the time of his death \$600. Clark drew this money for Mrs. Powers after the legislature adjourned and had the voucher drawn in his own name and deposited the amount in his personal account in the bank at his home. Afterwards, about the time he met Browne or Wilson, he carried to Mrs. Powers the amount due to her, in cash, apparently using a portion of his boodle money for this purpose (pp. 400-401). This is the same Clark who was a member of the corrupt furniture committee (p. 348). Besides all this, we are not without plenty of corroborating testimony of the first class to establish the truthfulness of all the foregoing facts to which the guilty parties themselves bore testimony.



LORIMER was a Republican, and there were 89 Republicans in the house and 64 Democrats; in the senate, 38 Republicans and 13 Democrats. That is, there were present and voting on May 26 in the joint session of both houses 127 Republicans and 77 Democrats. Of these, LORIMER received 53 Democratic and 55 Republican votes. This was the ninety-fifth joint ballot, and until that time no Democrat had voted for LORIMER; 72 Republicans refused to give this Republican candidate their support, even though it was apparent that he had a sufficient number of votes, including the 53 Democratic votes he had secured, to make his election on that ballot an absolute certainty. This looks bad upon its face, and no reasonable justification has been made of it.

The statement of Holstlaw that on June 16 Senator Broderick in his saloon paid him \$2,500 Lorimer money is corroborated by Jarvis O. Newton, the chief clerk of the State Bank of Chicago, a disinterested witness, who swears that on June 16, 1909, the very day that Broderick paid this money to him, Holstlaw in person brought into that bank the sum of \$2,500 in currency, which he deposited to the credit of Holstlaw, Bank of Iuka, Illinois. Mr. Newton produced the original deposit slip, which was properly identified and received in evidence (pp. 410, 411).

Beckemeyer testified that he took the \$1,000 which Browne paid him in St. Louis on June 21 home with him and kept it in his safe a while and gradually changed it into smaller money at different places; that when he changed it into smaller money he would deposit it in his home bank or pay debts with it (p. 227); that when Wilson at St. Louis on the 15th day of July paid him \$900 of the jack-pot money, he deposited \$500 of it in the Commercial Trust Co., on Jefferson and Olive Streets, St. Louis (p. 228). In this he is corroborated by Mr. James J. Gray, a disinterested witness, residing at Belle Isle, Ill., who testified that late in July, 1909, he went with Mr. Beckemeyer to the Commercial Trust Co., to which Mr. Beckemeyer was a stranger, for the purpose of identifying him to the officers of the company, and that Beckemeyer deposited \$500, in which Mr. Gray noticed some \$100 bills (pp. 393, 394).

The hotel register of the Southern Hotel of St. Louis contains the signature of Representative Browne under date of Monday, June 21, 1909, and shows that he was assigned to room 661. This is the very day that Link, Beckemeyer, Shephard, Luke, and Clark met him there to receive their Lorimer money, pursuant to an appointment.

The hotel register of the Southern Hotel, under date of Thursday, July 15, 1909, contains the signature of Robert E. Wilson and shows that he was assigned to room 86. This is the very day that Wilson, pursuant to an appointment, met White, Beckemeyer, Link, Clark, Shephard, and Luke, and in the bathroom of his room gave to each the sum of \$900 in cash as their share of the jack-pot money. This is the strongest sort of corroborative testimony.

White testified that after Browne paid him \$900, the balance of his Lorimer money, at the Briggs House in Chicago on the 16th day of June, 1909, having paid him \$100 of the amount agreed upon before they left Springfield, he went to his home at O'Fallon, Ill., and that on June 18 he placed \$800 of it in an envelope and deposited it with the cashier of a department store known as the Grand Leader (p. 185). In this he is corroborated by a disinterested witness, Mr. Thomas Kirkpatrick, an employee of the department store just named. Mr. Kirkpatrick testified that in the latter part of June, 1909, late in the afternoon, White came into the store and asked him if he would take care of some money for him. Kirkpatrick went to the cashier of the store, Mr. Hollander, and asked him if he would take care of some money for White until the next morning and put it in the vault; the cashier said he would and handed Kirkpatrick an envelope which he gave to White. He says White counted out the money, in which Kirkpatrick saw some bills of large denomination, put them in the envelope, and marked "\$800" and his name on the envelope, and Kirkpatrick handed it to the cashier for him; that the next morning, about 9 or 10 o'clock, White came in and got the package (pp. 222, 223). This is certainly corroborating testimony of the strongest character from a disinterested witness. John W. Dennis, another disinterested witness residing at East St. Louis, Ill., testified that he saw White there in June, 1909, when he returned from Chicago, that he and White had been in the insurance and brokerage business together, and that there were some outstanding and unpaid bills; that upon White's return from Chicago he had money and settled up all of these bills; that he was present when White was paying the bills and saw him have some \$200 on the table at the time; that before White went to Chicago he had no money (pp. 262, 263).

Miss Mollie Vandever, a stenographer of East St. Louis, Ill., testified that in the month of June, 1909, she was employed by White as a stenographer in his office in East St. Louis. That about the 17th or 18th of June, 1909, White came into the office with a roll of bills of "different denominations—twenties, fifties, and tens. It seemed to be yellow-backed money, this gold-backed money."

Q. Did you see the money counted or have anything to do with counting the money?—A. I had something to do with disposing of the money.

Senator BURROWS. The question is, Did you count the money?—A. I did not count the money.

Q. What was done with the money?—A. Mr. White disposed of it, paying bills around about there—part of it.

Q. Did you receive any part of it?—A. I received \$50.50 (pp. 271, 272).

She then goes on to explain that White owed a considerable number of people there, herself among the number, and that she assisted him in making up a list of the debts, and that he used this money in paying up such bills. She went into the particulars and gave the names of the people whom he owed and with whom he settled (pp. 273, 274, 275, 276). This is strong corroborative testimony and is not disputed in the record. Part of the receipted bills so paid, under date of June 19, were received in evidence and appear on pages 179-183 of the printed testimony reported by the committee.

Now, Mr. President, the strength of all this testimony is not broken by the assertion that White, Beckemeyer, Holstlaw, and Link are self-confessed criminals. They are contemptible people, I readily grant that. But there is something here, when we consider all this testimony as a whole, so consistent with the theory that their votes for LORIMER were purchased votes, and so completely antagonistic to the theory that they were honest votes cast in honor for him, that I can not escape from the absolute conviction that these men betrayed their honor, blackened the fair name of their State, and for paltry dollars permitted Lee O'Neil Browne and John Broderick to sell them like pawns to Shurtleff and LORIMER. If this be true as to White, Beckemeyer, Holstlaw, and Link, it follows that it must be equally true of Luke, Clark, Shephard, and De Wolf. And if these eight men sold eight corrupt and dishonored votes to Robert E. Wilson, Lee O'Neil Browne, and John Broderick, then the votes of these three bribe givers were equally corrupt and dishonored, and the whole 11 should be taken away from the man who profited by their casting.

Mr. President, to my mind, the attempt of counsel for Mr. LORIMER to overcome the testimony produced to show that these votes were corruptly cast for him and to answer the testimony offered to impeach his election miserably fails of its purpose, and its only tendency is to further confirm and corroborate the proof that Mr. LORIMER was not lawfully elected to the high office of United States Senator.

The conduct of the witnesses upon whom Mr. LORIMER relies, as well as their manner of testifying, confirms the impression that they are just such men as one would expect to find giving and receiving bribes. Charles A. White is a bad man; a man whose character and conduct fill one with disgust and contempt. Lee O'Neil Browne is just as bad and more dangerous, because more powerful and more intelligent. For Browne and his friends to denounce White is for the pot to call the kettle black. After associating with White all winter at Springfield and making the corrupt bargain with him to vote for LORIMER, Browne wrote White two letters—one dated June 9, and one June 13—arranging to meet him at the Briggs House in Chicago (p. 53). He admits writing these letters, and they are in the record. On July 16 he wrote another letter to White explaining why Wilson instead of himself met White and his confederates at St. Louis the day before, saying he had been sick (p. 56). He admits writing this letter.

White is a spendthrift. As a member of the legislature he drew \$2,000 and mileage and \$50 for postage. He drew all of this before the last of February, 1909 (p. 178). He spent it all to pay debts and in debauchery, so that before leaving Springfield he was broke and Browne advanced him \$100 as part payment of his Lorimer money. Browne knew White's vices perfectly well. His admitted letters to White show this; but according to Browne's own testimony he was willing to make a crony of White. The fact is that while Browne was the older man, much more keen, more intelligent, and more forceful than White, nevertheless they were two of a kind. White was just the tool Browne wanted to make use of in his business. After White received the \$900 jack-pot money paid to him at St. Louis on July 15, Browne and he and a dissolute fellow named Zentner spent nearly a week in trips on Lake Michigan between Chicago and Waukegan and Chicago and St. Joseph and Benton Harbor in riotous living and drunken revels. After that was

all over White was again broke and began to write to Browne for money and to solicit a job of some sort from him and from Mr. LORIMER. Through Mr. LORIMER they secured a job for him in Chicago at \$75 per month, but he refused it. He wanted something more remunerative. Browne continued to write to him as to a pal. One of his letters is characteristic. It is as follows:

OTTAWA, ILL., September 9, 1909.

FRIEND CHARLES: Just got your letter. Am awfully sorry for you, old pal, because I know how true a good fellow and gentleman you are. Your fault, old pal, is in trying to go too — fast. You must cut it out for a while, old boy; do all I can to land you a job, but do not yet know when LORIMER will be able to do anything or, rather, when he will do anything. But I'll do all I can, Charlie. Am pretty hard up myself after the vacation we all had, but have managed to scratch out a fifty for you. Hope it will do some good anyway. I am down at the "grind" again, working like a slave. It's sure h—l after the "music and flowers" we had for a time this summer. But when a thing has got to be done I can always shut my teeth and go to it. It's the only way. It's hell, but that's the price one pays for most of the pleasure of life. I always did, at least. Good bye, old man, and God bless you. Wish I could do more for you.

Your friend,

LEE O'NEIL BROWNE.

P. S.—I hope you will do all you can to help James Morris, our old pal, pull through. He must win, he says.

When he got his Lorimer money, White, after paying debts at O'Fallon and East St. Louis, proceeded speedily to squander the rest in making presents, traveling about with cronies, whose expenses he paid, and for drink. He was a total failure as a business man. He was maintaining expensive offices in East St. Louis, one a real estate and insurance office and the other a collection agency, but he was doing no business in either. His ill-gotten gains were soon gone and he proceeded to demand more. Browne tried to silence him by cajolery and small loans, but as he fell lower White demanded more and at last he hit upon a scheme to extort money from Mr. LORIMER by a threat to expose the corrupt practices at Springfield through which Mr. LORIMER was elected. He did not succeed in getting money from Mr. LORIMER by this species of blackmail, so his next move was to give up all he knew to the Chicago Tribune for a valuable consideration, amounting to several thousand dollars. Of course you will say, "What a wretch he is," but that will not determine the question before the Senate, which is, Did he tell the truth in the story he gave to the public on April 30, 1910, through the Tribune? Have his claims been proven in these hearings?

The testimony taken before the committee and reported here convinces me beyond a reasonable doubt that he did tell the truth substantially as it was, no matter how much we may despise him, nor how great our contempt for the motives which prompted him to tell it. Why, the very conduct of the guilty parties, whom the published statement implicates, immediately before and after its publication corroborates it and convicts them. On December 4, 1909, White wrote his blackmailing letter to Mr. LORIMER. On November 5, 1909, he sent a telegram to Browne declining the \$75 position. I wish the committee was here. I want to call attention to this point. Here is a piece of the testimony that has gone out of the record. I do not want to comment on it in the absence of the committee.

Mr. BRISTOW. Mr. President—

The PRESIDING OFFICER (Mr. JONES in the chair). Does the Senator from South Dakota yield to the Senator from Kansas?

Mr. CRAWFORD. Certainly.

Mr. BRISTOW. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Kansas suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Crane	Johnston	Scott
Bailey	Crawford	Jones	Smith, Md.
Beveridge	Cullom	Kean	Smith, Mich.
Borah	Cummins	La Follette	Smith, S. C.
Bourne	Dillingham	Lodge	Smoot
Bradley	Dixon	Lorimer	Stephenson
Briggs	Elkins	Martin	Sutherland
Bristow	Fletcher	Nelson	Tallafiero
Brown	Flint	Page	Terrell
Burkett	Frye	Paynter	Warner
Burnham	Gallinger	Percy	Warren
Burton	Gamble	Perkins	Wetmore
Chamberlain	Gugenhelm	Piles	
Clapp	Hale	Richardson	
Clark, Wyo.	Heyburn	Root	

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. A quorum is present.

Mr. CRAWFORD. I hope some member of the committee is here, because I did not care to refer to the absence of one of the exhibits in any way that would be unfair, and possibly some member of the committee can account for its absence.

On December 4, 1909, White wrote his blackmailing letter to Mr. LORIMER. On November 5, 1909, he sent a telegram to Browne declining the \$75 position; and I make this comment: And there must have been something in that telegram to arouse the suspicions of Browne that White had become hostile, because it was produced by Judge Haney and marked as "Exhibit O," and was received in evidence; but for some reason was not given to the stenographer, and no copy of it appears in this record (p. 126).

If the committee will look at page 126 of the report, in connection with Exhibit O, they will find that exhibit is not there, and the stenographer says it was never handed to him. It is an important telegram, because it was the beginning of a declaration of independence from the old gang on the part of White, and its contents might have been significant. But it does not appear in the record.

Mr. BEVERIDGE. Perhaps some member of the committee remembers what was in it.

Mr. CRAWFORD. Does my colleague remember anything about the telegram or what was in it?

Mr. GAMBLE. No; I could not state, Mr. President. I remember that there were a number of telegrams, and letters as well, and I myself observed the omission of the telegram from the record in my reading of the testimony, and I was curious to know why it was not in the record.

Mr. CRAWFORD. On April 29 White made his agreement with the Tribune, and on the 30th his story was published. The conduct of the hoodlums when the exposure came furnishes very strong additional proof of their guilt. Beckemeyer lived at Carlyle, in Clinton County. A few days before the publication of White's story he received a telegram from all the Chicago newspapers, and on April 30 he was in Chicago and visited Representative Abrahams, the Browne Democrat and Chicago saloon keeper, who followed Browne, right or wrong, and whose answers at roll call were all the gang needed to indicate how they were to vote. He visited Abrahams at his place of business, and they talked about the LORIMER election. Then on May 2 he sent a telegram to the Chicago News from his home at Carlyle, in which he denied any knowledge of the jack pot or of money being used for LORIMER. This telegram was probably inspired by Manny Abrahams (pp. 230, 231). A saloon keeper from Carlyle, named Welch, was with Beckemeyer when he visited Abrahams on April 30. Beckemeyer told Abrahams that he and Welch had been away from home fishing, and said: "But we do not want anybody to know what we are at." He added:

I don't know where I am at with that story of White's; don't tell anybody I was here (pp. 231, 232).

Just before White's story was published, but after the hoodlums discovered that trouble was ahead, Representative Robert E. Wilson, the Chicago Democrat who distributed the jack-pot fund at the hotel in St. Louis, and Beckemeyer met each other in Springfield. Representative Joe Clark met with them. Beckemeyer had received a call from White and a detective employed by the Tribune, who had made some embarrassing inquiries, and he had become disturbed. White and this detective had visited him about 10 days before the White exposure was published, and he at once made the appointment with Wilson and Clark to meet him in Springfield. At this meeting these three men agreed that, for the purpose of manufacturing testimony to be used for the purpose of showing that the meeting at the Southern Hotel in St. Louis on July 21, 1909, was not held for the purpose of dividing the jack pot, but was held for the laudable purpose of discussing the propriety of giving a banquet to Minority Leader Lee O'Neil Browne, Mr. Wilson should send a letter to each of the men who met him there and date it prior to July 21, 1909, so that they might use it for defensive purposes. Pursuant to this agreement Beckemeyer, during the first week in May, 1910, received from Wilson the following letter, dated June 26, 1909:

CHICAGO, June 26, 1909.

Hon. H. C. BECKEMEYER, Carlyle, Ill.

FRIEND BECKEMEYER: Doc. Allison was speaking to me regarding getting up a banquet for Lee in his home town, Ottawa, and asked that I take the matter up with some of the boys. I expect to go to St. Louis in the near future in connection with our submerged land committee, and will advise you in advance as to when I will be there, and would like for you to meet me.

With best wishes, I am,  
Very truly, yours,

ROBERT E. WILSON.

The Doc. Allison referred to was one of the Browne Democrats who voted for Mr. LORIMER (pp. 402, 403).

The PRESIDING OFFICER. The Senator from South Dakota will suspend for a moment while the Chair lays before the Senate the unfinished business, the hour of 2 o'clock having arrived. It will be stated.



The SECRETARY. A bill (S. 6708) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce."

Mr. GALLINGER. I ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it will be so ordered. The Chair hears none. The Senator from South Dakota will proceed.

Mr. CRAWFORD. Beckemeyer, of Carlyle, Joe Clark, of Vandalia, and Robert E. Wilson, of Chicago, met at Springfield in the last of April, 1910, and decided to manufacture this beautiful piece of testimony, and Beckemeyer received this fake letter from Wilson in the first week of May, 1910, though it is dated June 26, 1909. He destroyed the envelope in which he received it. For the same purpose and about the same time Wilson sent a similar fake letter to Representative Link and to the other jack-pot boodlers (p. 374). Very soon after Beckemeyer had this meeting with Wilson and Clark at Springfield he called Clark up by telephone and made an appointment to meet him at Centralia. They had the appointed meeting, and he consulted with Clark as to the advisability of his testifying that he was not in St. Louis at all on the 15th of July. Clark agreed that it would be all right for him to do so (p. 403). Speaking of the fake letter, Beckemeyer testified as follows:

Senator JOHNSTON. I want to ask a question. This letter that was shown you you say was dated one year later?

Mr. AUSTRIAN. Dated in 1909 and written in 1910—one year early?

A. Now, I guess it was written in that year; I received it at that time.

Q. It came through the mail?—A. Yes, sir.

Q. What became of the envelope?—A. I threw it in the wastebasket.

Q. Did you know this letter was antedated when you received it?—A. Yes, sir.

Q. Did it occur to you that the envelope was material to establish that fact?—A. It did.

Q. Why didn't you save it?—A. It occurred to me that it would be material at that time. I intended to use the letter; I had gotten it in 1910 instead of 1909.

Senator FRAZIER. Is that the reason that you destroyed the envelope?—A. Yes, sir.

Q. You wanted it to appear, then, that the letter had really been written in 1909 and received in 1909?—A. I did at that time; yes, sir (pp. 409, 410).

Notwithstanding he had armed himself with this fake letter to explain that his visit to St. Louis on July 21, 1909, was for a lawful purpose, this man, after his conference with Clark at Centralia, concluded to deny that he was at St. Louis at all, and the first time he went before the grand jury in Cook County he swore that he was not in St. Louis on that day. For this he was indicted for perjury (p. 253).

Link pursued the same course. Notwithstanding he had one of the fake letters, the first time he went before the grand jury in Cook County he denied meeting the other boodlers in St. Louis, and he was indicted for perjury (p. 291). This was the course advised by Clark at the Centralia meeting with Beckemeyer. Clark admits that he met Beckemeyer there; also that he met Wilson at Springfield (pp. 355-356); and admits that he and Wilson talked about White and the detective being around looking up matters; and that while in Springfield he—Clark—had gone in an automobile to see Mr. Morris, a Democratic member of the legislature (p. 356). These acts of Beckemeyer, Link, Wilson, Clark, and Manny Abrahams holding hurried meetings and conferences in Chicago, in Springfield, and in Centralia, the attempt of Beckemeyer to keep out of sight, the manufacturing of false testimony for the use of Link and Beckemeyer, their perjury when first called before the grand jury, simply add to the overwhelming testimony already massed against them.

Senator John Broderick, the Chicago saloon keeper, who paid the \$2,500 to Senator Holstlaw on June 16 and the \$700 some weeks later, told his story before the committee. Both his conduct and his testimony strengthen the case against the boodlers. He was a reluctant witness; it was with the greatest difficulty that he was reached by subpoena and his attendance compelled. He declined to answer question after question on the ground that the answers might be used against him in the coming trial pending against him at Springfield for boodling in the furniture deal. Here are some of the instances in which he deemed it best to remain silent:

Q. Did you ever write to him (Holstlaw) to call on you?

The WITNESS. I refuse to answer (p. 551, 556).

Q. On what ground do you refuse to answer?—A. On the ground that I would be compelled to give testimony against myself (p. 557).

Q. Mr. Broderick, did you ever have any occasion to write Mr. D. W. Holstlaw in the month of August to call upon you?—A. I refuse to answer on the same ground as I said before.

Q. Mr. Broderick, when did Mr. Holstlaw come to see you?—A. Well, I don't exactly remember the date, but he was in my place when I came in there.

Q. Had he come in response to any invitation from you to him?—A. I refuse to answer.

Q. If he came to see you during the month of June or July, 1909, did he come on his own volition or at your request?—A. I refuse to answer (p. 557).

Q. How long was he in your place?—A. Possibly a half or three-quarters of an hour.

Q. And he talked to no one but you, eh?—A. I refuse to answer.

Q. I say did you write to him—Holstlaw—did you fix the time?—A. I refuse to answer (p. 563).

By Senator FRAZIER:

Q. Now, you have declined to answer whether you notified Mr. Holstlaw to come to your place of business?—A. Yes, sir.

Q. You still decline to answer?—A. Yes, sir.

Q. Where did he remain during the time, what part of your place during the entire time he was at your place of business?—A. Mostly down at the lower end of the bar.

Q. In the bar room?—A. In the bar room; yes, sir.

Q. Was anyone else present there?—A. Yes, sir.

Q. Who?—A. I refuse to answer (p. 567).

Q. Did you ever notify him that you wanted to see him in any matter?—A. No, sir; not on any matter. Well, now, that is one of the questions I refused to answer a while ago.

Senator FRAZIER. You have already answered it.

WITNESS. I know, but I ask leave to correct that or withdraw that answer.

Senator BURROWS. You withdraw your answer to the question?—A. I desire to withdraw the answer to that question; yes (p. 567-568).

Ah, Mr. President, this is not an honest witness. He did not care to say that he had not sent a telegram or letter to Holstlaw requesting him to come to Chicago before the \$2,500 was paid to him, because he feared the letter or telegram might be produced. Otherwise, he would have been perfectly willing to lie about it.

Robert E. Wilson, the man who distributed the jack-pot swag at St. Louis, skipped to Canada and dodged the committee and its subpoena during the entire hearing in Chicago. But they feared the effect his default would have upon this case and at last produced him in Washington on December 7. He admitted that he left Chicago after seeing Browne at the Briggs House on July 14, 1909, and that he arrived at St. Louis on the morning of July 15 and took a room at the Southern Hotel. He says that he left St. Louis for Chicago about noon of the same day (p. 723); that he met Beckemeyer, Shephard, Link, Luke, Clark, and White, and he supposes that he made some arrangement to meet them, either by phone or letter, or some communication (p. 723).

Q. Now, isn't it a fact that you notified all of the southern Illinois members through Mike Giblin, L. O'Neil Browne's secretary?—A. No, sir.

Q. Did not notify any of them through Mike Giblin?—A. I will not say I did not.

Q. Didn't you notify each one of them by telegram through Mike Giblin, and ask for a reply?—A. It might be possible I got Mike Giblin to send this telegram; I am not sure. I probably said before the grand jury of Cook County that I notified these men through Giblin, Browne's secretary (p. 724). The submerged land committee of which I was a member did not meet in St. Louis. I went there to see these southern Illinois members with regard to a banquet to Lee O'Neil Browne.

This witness said he went on his own initiative, and yet he could not repeat any of the conversation he had with any one member there about a banquet (p. 729). He said he remembered calling Shephard into the bathroom, but does not know what they talked about. He dodged questions and made evasive answers, as the following example (p. 730) shows:

Q. But you have no recollection what the discussion was?—A. You asked me when he—what he said before this committee or before the grand jury.

Q. I am asking you if you know what you said in the bathroom. I am not asking about Shephard's testimony; I am asking whether you know what discussion you had on that occasion?—A. The only way I can get at it is the telegram; I can not say as to his testimony before the grand jury.

Q. I am not asking you about the testimony before the grand jury, but White said certain things—A. He said that Browne—

Q. You do not know what you said to him in the bathroom at all?—A. No; I do not.

Wilson admitted meeting Clark and Beckemeyer in Springfield after White and a detective had been at their homes looking up testimony and just before White's story was published, and that he discussed the matter with them (pp. 734, 735). He admitted that in this meeting between himself and Beckemeyer at Springfield, just before the scandal came out, they discussed the investigation which they had discovered to be going on, and he also admitted that on the Sunday before he met these men in Springfield he had met Shephard in Chicago; that he and Dawson—the lawyer who appears in the pending criminal cases for him and for Broderick—met Shephard at the Briggs House on that Sunday; that Browne joined them in the lobby, and that the subject of the investigation by the detective came up (pp. 738, 739).

Wilson also admitted that when he went to the Southern Hotel in St. Louis, on July 21, 1909, he remained only a few hours and did not take a meal or remain overnight; yet he registered and engaged a room with a bath, and met the boodlers in that room and had a private conference with them in the bathroom (pp. 741, 743).

These facts all tend strongly to corroborate the story told by Charles A. White. The testimony of Lee O'Neil Browne is better corroboration still. He admitted that he knew that Wilson was going to St. Louis on the 15th or 16th of July, 1909, to meet the southern Illinois members, and that he himself would have gone except for the fact that he was sick, and that he wrote one or two and possibly more letters regretting that he could not be there (p. 599). He admits that he did go to St. Louis on the 21st of June, 1909; that he took a room there at the Southern Hotel, and that he met Shephard, Link, Beckemeyer, Luke, and, he thinks, Clark also there; that the meeting was by appointment (pp. 603, 604). But when it comes to his explanation of the purpose for which he met these men, he is a dodger. He was asked:

Q. Can you tell us anything you said to any one of these men or any one of these men said to you at that conference that you had with them in the Southern Hotel at St. Louis on the 21st day of June?

This is a very shrewd man—one of the shrewdest.

A. You ask me if I can tell any specific conversations there, in substance or in words, I say no; if you ask me what we talked about, I can tell you.

Q. Well, tell us.—A. I have; just what I went there to talk about.

Q. And nothing else?—A. Yes, sir.

Q. Well, tell us the rest.—A. Why, I remember we discussed—Mike Link and I discussed the question of racing horses for one thing and stock. I had never been in St. Louis but twice in my life, and I was prepared to stay a couple of days there and visit in the town if any of them would have stayed and been a companion, all of them; but none evinced any disposition; either business matters or something else prevented, and I left that night (p. 607).

He did not invite White to that meeting, because he had already paid him his \$1,000. White was not there for that reason. The men dropped in one at a time and stayed only a little while and then left, and Browne himself left the same day he came. The business was done quickly and quietly (p. 607). Yet this man would have us believe he went there to stay two or three days and to have a social visit and talk politics. He had left these men at Springfield at the close of a long session of the legislature only about two weeks before this. Does anyone believe that he called these men together in St. Louis for the purpose of having a mere social or political chat with them and that he would have left a few hours after his arrival there if that had been the purpose of the meeting?

To show that Browne has a remarkably accurate memory and that he could have detailed the conversations he had with these men at St. Louis if he had dared to do so, I now quote from another portion of his testimony given before the committee on the 6th day of October, 1910, in regard to what occurred in the St. Nicholas Hotel in Springfield on the night of May 24, 1909, 16 months before. He says:

The 24th day of May, 1909, was on Monday. I came to Springfield the day before, Sunday the 23d, and registered at the St. Nicholas Hotel and occupied my usual quarters. I did not see Mr. White during the day of the 24th. The Alton train, known as the Kansas City Hummer, or K. C. Hummer, is due in Springfield at 11:15 at night. That is the train people interested in legislative matters and members that come by the Alton usually come on. On the night of May 24 Dr. Thomas Dawson came down on that train. I met him in the lobby of the hotel when he came in. The train was late that night and, as I have discovered, did not get to Springfield until, as I remember, 11:41. I talked with Mr. Dawson some time in the lobby of the hotel, asking him to do something for me, which he did there in the lobby, speaking to a certain person there for me; all of this before he registered. Thereafter he registered and was assigned to a room at the St. Nicholas Hotel. Mr. White did not register until after Mr. Dawson did, his name appearing immediately after Mr. Dawson's, so that Mr. White could not have had a room that night at the St. Nicholas Hotel before he registered and he could not have registered before midnight. I might have seen Mr. White after midnight at my room (p. 627).

A man whose memory is so clear and so accurate that he can go back 16 months and say his train was late and arrived at 11:41, and tell the order of registration among acquaintances, could have told us something about this conversation in the room in the hotel in St. Louis had he wanted to do so. But he dodged every question.

It is clear that Browne was not at all frank and truthful concerning what occurred at the St. Louis meeting on June 21, 1909. He could have given the details if he had cared to do so.

Browne says that White was a man of very ordinary education and that he could not spell well. But after Mr. LORIMER's election a letter purporting to be from White was sent to Mr. Kern, editor of the Belleville Democrat, complimenting him upon the stand his paper had taken justifying the election of Mr. LORIMER. This letter says:

It gives me pleasure to know that there are men in public life, prominent in the Democratic Party, who can look upon a situation of this character with as broad and liberal views as you have expressed yourself through the editorial of your valuable paper. The Republican Party of this State is, as has been demonstrated in this present session of the legislature, divided in such a manner that it was practically impossible beyond any reasonable doubt for them to settle this long

and expensive drawn-out contest, and feeling that the State of Illinois should be represented in the United States Senate during those critical moments by a man from this State, I felt it a public duty, after careful conference with older and more experienced workers in the Democratic ranks, to cast my vote for the Hon. WILLIAM LORIMER for United States Senator (p. 633).

White says that Browne helped him to get up this letter. That he talked with Browne about it first and dictated it accordingly to what he was told to put in it; that he then submitted it to Browne, who made some changes in it, and that he then dictated it over again (p. 412).

The testimony offered in behalf of Mr. LORIMER to disprove the charge that he was not elected by legal votes may be classified as follows:

First. Into testimony offered to directly impeach White and to show that he invented the story he has told for blackmailing purposes.

Second. Denials by Browne, Broderick, and Wilson that they paid or agreed to pay any money or thing of value whatsoever to any person as a consideration for his vote for Mr. LORIMER and a denial by Link and by Holtslaw that the money received by them was the inducement which caused them to vote for him.

Third. Attempts to prove that Link, Beckemeyer, Holtslaw, and Shephard were placed under duress by the State's attorney of Cook County and his assistants and officers controlled by them, and that by means of threats these men were compelled to testify falsely that they had received money from Browne, Wilson, and Broderick.

Fourth. That the testimony upon which the charges are based is false and was suborned by the men who represent the Chicago Tribune and by the State's attorney of Cook County, who entered into a conspiracy to destroy Mr. LORIMER.

The testimony produced to establish these claims made in behalf of Mr. LORIMER does show the following facts:

That in a letter to Browne, dated October 1, 1909, White said that he was down and out financially. He closed the letter by using the following significant words: "Don't be surprised in the future at any action that I may take" (p. 122).

That on or about the 23d day of October, 1909, he went to Mr. Edwin R. Wright, president of the Illinois State Federation of Labor, who is a printer by trade, and told him he had written a story about his experience in the legislature; that Everybody's Magazine had declined to publish it, and that he wanted to dispose of it for publication. Wright asked him about the nature of the story and learned that it would contain the names of several prominent politicians. He recommended the Record-Herald and the Chicago Tribune as newspapers that might buy the story (p. 346).

On December 4 White wrote a letter to Mr. LORIMER, in which he told him he was preparing to publish an article giving his experience as a member of the Illinois Legislature; that it would appear in book form or in one of the largest magazines; that he had been offered a sum sufficient to value the manuscript at \$2.50 per word (p. 125). This letter was no doubt written for the purpose of getting some hush money out of Mr. LORIMER. He then tried to sell his story to several magazines, but could not get what he wanted. Finally, about the 1st of March, he went to the Tribune and submitted the manuscript to its managers. They asked for time to investigate it, and finally on April 20 made the following agreement with him (record, p. 104):

THE CHICAGO TRIBUNE, OFFICE OF PUBLISHER.  
Chicago, Ill., April 29, 1910.

To CHARLES A. WHITE:

You offered to sell to us for publication a story written by you, which story gives your experiences while a member of the House of Representatives of Illinois during 1909-10, and giving also certain information as to what transpired by reason of your voting for certain measures, etc., while a member of such house.

We refused to pay you for that story or to print the same unless such story was verified and corroborated by persons selected by the Tribune.

For more than four weeks we, with your cooperation, through different agencies, have caused your story to be fully investigated. For the sole and exclusive right hereby granted by you to the Tribune Co. to publish this story or a revision thereof or excerpts therefrom in the Chicago Tribune, and copyright it either in your name or in that of the Tribune Co., but which shall be at our election, and also in full compensation for the time already spent by you in assisting us in obtaining corroborative evidence of the facts contained in this story, and in full payment for all your time which shall be devoted by you to further substantiate this story at any time, which time you hereby agree to devote to that purpose as and when called upon so to do, the Tribune Co. hereby agrees to pay you \$3,250, of which said sum \$1,250 shall be paid upon the printing of the said story or the first installment thereof, \$1,000 30 days after said first payment, and \$1,000 60 days thereafter.

You reserve to yourself all book or other rights to the story other than the exclusive newspaper rights hereinbefore referred to, which belong under the terms hereof to the Tribune Co.

J. KEELY,  
Vice President Tribune Co.



CHICAGO, ILL., April —, 1910.

*To the Chicago Tribune and the Tribune Co.*

GENTLEMEN: I have read the above and foregoing and agree to the terms thereof, and to accept the sums of money as therein set forth, and I further agree to devote my time and services to substantiate the story referred to as and when requested by you so to do, and in such manner as you may direct.

CHAS. A. WHITE.

The Tribune, after carefully investigating the facts which furnished the basis for White's story, had become convinced of its truthfulness. It published a condensation of the story on April 30. No suit for libel appears to have been commenced by anyone based upon what was published. White got \$3,250 from the Tribune for the story, and, so far as he is concerned, his highest motive in selling it was to get money for it. It does not follow, however, that the story is not true.

In March, 1910, White told the substance of this story to the State's attorney of Cook County, after he had submitted it to the Tribune (p. 112). He was placed in the custody of an officer, but not indicted (p. 113). The officer took him and went to various places in Illinois, Michigan, Wisconsin, and Minnesota, running down testimony to substantiate what White had told. The officer paid for transportation and hotel bills (p. 113). When White left his manuscript with the Tribune he said he did not know whether other members of the legislature would corroborate his story or not (p. 156). For about two months before publishing it, the Tribune, by its attorney and detectives, along with White, were investigating White's charges and White's expenses were paid by that concern (p. 156). White says he did not know that anyone would corroborate his story by confessing, but that he did know there were others guilty from what they had told him (p. 157). Mr. Keeley, of the Tribune, advised him to consult with the State's attorney about the matter (p. 158), and he did so. This was early in March. A detective named Turner was sent by the State's attorney along with him to make an investigation (p. 159). Different detectives traveled about with him at different times and to different places in the city and out of the city (p. 160). They went to some of the members in southern Illinois, to Beckemeyer, Clark, Shephard, and Link, and talked with them, and they examined bank checks and hotel registers. Before making the written agreement with White, the Tribune advanced the sum of \$250 to cover his incidental expenses and for his time in making this preliminary investigation (p. 166). There is nothing in all that to impeach his testimony. The State's attorney was entirely justified in making a thorough investigation of the serious charges preferred by White and would have come short in the performance of his duty if he had not done so.

I would like to have lawyers pay attention to this question as to the admissibility of testimony.

The testimony offered to impeach White also shows that he had two friends—young men—named Sidney and Otis Yarborough; that he procured a job of some sort for Otis at Springfield while the legislature was in session, and that Sidney, who lived in Chicago, frequently came to Springfield during the session, riding sometimes, it appears, upon White's railroad pass. White says he had two beds in his room in the St. Nicholas Hotel in Springfield, and that these boys sometimes slept in his room. He testified that on the night of May 24 Lee O'Neil Browne came to his room to talk with him, and that Sidney and Otis Yarborough were there in bed; that Browne remarked that there were three in the room and invited White to come to his room; that he thereupon went to Browne's room, where Browne told him he would get \$1,000 for voting for LORIMER and nearly as much from "other sources" (p. 140, 141). No attempt was made to prove that Otis Yarborough was not in White's room, just as White said he was, but several witnesses were placed on the stand to prove that Sidney was in Chicago that night, and therefore could not have been in White's room at Springfield. Pages of testimony were introduced to impeach White upon this collateral and immaterial point. The testimony received for this purpose is far from satisfactory. The witnesses called for the purpose of proving that Sidney Yarborough was in Chicago during the night of May 24 were a street-car motorman in Chicago named Gloss, his wife, and a street-car conductor named Bell. To show that in this instance the attempt to impeach White relates to a collateral and immaterial issue, I will quote that part of the direct and cross examination of White, which is as follows:

DIRECT EXAMINATION OF WHITE, PAGES 39 AND 40.

Q. Did you at any time have any talk with Lee O'Neil Browne, the same Browne I have heretofore referred to, with reference to voting for WILLIAM LORIMER for United States Senator?—A. Yes, sir.

Q. When did you have your first talk?—A. On the night of May 24, 1909.

Q. Whereabouts?—A. In his room in the St. Nicholas Hotel in Springfield, Ill.

That is all the direct examination on that question; not a word asked in the direct examination about Sidney and Otis Yarborough being in bed in his room. Now, here is the cross-examination:

CROSS-EXAMINATION, PAGES 140 AND 141.

Q. Mr. White, you testified on your direct examination here that Mr. Browne first talked with you about voting for Mr. LORIMER for Senator on the—first had the conversation with you in your room at the St. Nicholas Hotel in room 133, I think, on the night of the 24th of May, 1909?—A. No; Mr. Browne came to my room, 133, and invited me to his room, where the conversation took place.

Q. Who was in your room when Lee O'Neil Browne went there and asked you to come to his room?

Mr. AUSTRIAN. I object to that as immaterial. That does not tend to prove any issue in the case. I have not asked him who was in his room at the time.

Mr. BURROWS. The testimony will be admitted for the present.

Q. Who was in your room at the time that Lee O'Neil Browne went in your room on the night of the 24th of May, 1909?—A. Otis Yarborough and Sidney Yarborough.

Q. Where was Sidney and Otis Yarborough when you say Browne came into your room on that night?—A. In bed.

Q. Together?—A. Yes, sir.

Q. Did Browne have any talk with you in their room at that time?—A. Oh, he said a few words; he made some little jocular joke about three being in the room and invited me to go to his room, he wanted to talk with me.

Now, Senators will notice that the conversation with Browne was not had in White's room; they left that room and went to Browne's room, and the conversation occurred there in the absence of the Yarborough boys.

It is not material whether the two Yarboroughs or only one of them slept in White's room that night. Both were frequently with him in Springfield, and he might have been honestly mistaken about both being there that particular night. That Otis was there is not disputed. It is immaterial whether Sidney was there or not. The rule is so well settled that a witness can not be impeached upon a collateral and immaterial question that I do not believe this labored attempt to show by three witnesses that Sidney was not in Springfield that night accomplishes anything for Mr. LORIMER's side of this case.

It was also shown that White paid some attention to a young lady who kept a cigar stand in the hotel in East St. Louis, and on several occasions when he was in her company he told her he was writing a history of his life and of the legislature; that the Lorimer bunch would have to pay him money enough to keep him the rest of his life, and if the Lorimer bunch did not do it he would make it hot for LORIMER; that rich people in Chicago were backing him; that he had spent \$3,000 in money and a lot of time making the history and he was going to get it back; that he would not land in the penitentiary, because he had influential friends who would protect him (p. 527); that he also told a man named Rossell in Chicago one day in the spring of 1910, when Rossell asked him if he was not "flying pretty high," that he was, but that he was going to fly a good deal higher before he was through; that they had given him the worst of it in the legislature and he was going to make them put him on easy street or he would make it d—d hot for them; that he didn't care a d—d for them; he was looking out for Charley White (p. 452).

White, of course, denies that he made these statements, but I believe he did make them, and I believe that they truthfully express his real purpose. He was no doubt drunk when he made them, and there was some swagger and braggadocio about it, but he probably said substantially what these witnesses say he did. This does not, however, as I view it, tend to help Mr. LORIMER's case, but quite the contrary. White was possessed of guilty knowledge. He knew there had been corruption in the legislature; he had participated in it himself. He knew that money had been paid for votes; he had received some of that money himself. He believed that he could capitalize his knowledge by making the beneficiaries pay him for silence. When under the influence of liquor he talked indiscreetly about it, but he was telling the truth just the same. These maudlin admissions of his are evidence against his fellow boodlers as well as against himself, and corroborate rather than impeach the story he gave to the Tribune and to the State's attorney of Cook County. For a similar purpose two witnesses, James W. Doyle, representing a labor organization before the legislature, and Thomas Curran, a member of the legislature, testified that during the session White came to them with corrupt proposals to hold up certain bills for mercenary purposes (pp. 463, 581). He denies this, but I am inclined to believe the statements of Doyle and Curran. But the effect of the testimony of these witnesses on my mind is to confirm my belief that there was corruption in the atmosphere at Springfield; that booting and grafting were going on among the members; that votes were being bought and sold, and that White was in the market. He was a little bolder, a little more shameless, and a little more indiscreet than others, but there were others,

and he knew it. Finally, through his boldness and brazen effrontery the whole miserable story came out, and this testimony fits perfectly into the rest, and the whole proves that White's story, disgusting and repulsive as it is, is true.

Two other witnesses—William H. Stermer, assistant manager of the Briggs House, in Chicago, and Fred Zentner, a traveling man, both very intimate friends of Lee O'Neil Browne—have given testimony against White that has all the earmarks of falsehood upon it. It looks very much like testimony "made to order" to fit the occasion. According to the testimony of these two men, they had a conversation with White in the buffet of the Briggs House about midnight, August 19, 1909. Browne, White, and Zentner had just returned from one of their trips on Lake Michigan. Browne had gone to bed or was out somewhere and White and Zentner were drunk. They had been drinking all day, and during the evening Stermer had been drinking with them. Stermer and Zentner both testify in language almost identical in the smallest detail that White told them he was going to take a trip in the fall; that he was going home and from there to New Orleans and Cuba and then to New York, where he was going to have a big time; that they said to him, "You must have a lot of money to spend for anything like that;" that White replied, "No; I have not a lot of money, but I am going to get it without working; that Lorimer crowd and our old pal Browne, too, have got to come across good and hard when I say the word, and I am going to say it;" that Zentner then asked him, "Have you got something on them?" To which White replied, "No, I ain't; I got the worst of it down there in Springfield, but that makes no difference. I voted for LORIMER, and I am a Democrat, and I can say I got money for voting for LORIMER. Do you suppose they can stand it for a moment? I guess they will cough up when I say the word to them. I am looking out for White, and, besides, Browne would not have to pay. That bunch behind him would have to, and it would not hurt him" (pp. 531, 543).

The date these two witnesses gave their testimony was October 5, 1910. The date when they claim to have had this conversation was August 17, 1909. They had not repeated the conversation nor talked about it to anyone, nor with each other, until May 1, 1910, after Browne was indicted. They each testified at both of the trials of Browne in Cook County and testified before this committee; there is a studied exactness and identity in the use of words by each witness upon each occasion that could only be expected from witnesses who have conned their lesson too much and who recite it too well. For this man Zentner, who was drunk when the alleged conversation with White occurred, and who had been on a bum for nearly a week, to be able, months afterwards, to repeat it word for word in precise and exact detail, is to prove that this testimony was manufactured for the occasion. I am convinced that White never told these men that he "did not have anything on the Lorimer crowd." On every other occasion when he was drunk and, in maudlin fashion, was truthfully telling what was in his mind, he said he did "have something on them." Except for this one thing, these alleged conversations with Stermer and Zentner, if they occurred, corroborate his main story, just as his talks with the cigar girl and with Curran and Doyle corroborate it.

The following is another instance in which an attempt is made to impeach White, and where I am thoroughly convinced that the evidence is false: To disprove White's statement that he received \$900 from Lee O'Neil Browne at the Briggs House, in Chicago, on the 15th and 16th of June, 1909, Browne testified that on the 17th of June he had a talk with White in the lobby of that hotel; that it occurred in the open lobby, within 20 feet of the clerk's desk, a few feet in front of one of two big pillars that stand there; that it was in plain view of everybody in the lobby; that it occurred about noon; that White came up to him there and said, "Lee, I am going home to-day; I want to see you after a little bit;" that he replied, "You can just as well see me now;" that they stepped to one side a few feet and White said, "Can you let me have a little money? I am a little shy or a little hard up;" that he replied, "How much do you want?" White said \$25 or \$30, or some small amount less than \$50, and that he put his hand down in his pocket, his left-hand pocket, and pulled out a small roll of paper money, counting off either \$25 or \$30, which he gave to White, who took the money, bade him good-by and walked away, and that was the last he saw of him. That he did not pay him any money at all, except this small sum (p. 644). To corroborate this testimony of Browne and to impeach White's testimony that Browne paid him \$900 at the Briggs Hotel, a witness named Charles H. Simmons testified on the 7th of October that he had been associated with a man named Farley, a race-horse man, who was

indicted at Detroit for running ringers on the Detroit track. Farley and Simmons had joined together in a raid of some sort on the race tracks of Chicago. In 1909 Simmons knew neither White nor Browne by sight; had never met either of them personally, and knew nothing of them by reputation. Nothing whatever had happened between June 17, 1909, and May 1, 1910, to call to his mind that he had been in the Briggs House on the 17th of June, 1909, and seen Browne and White there; but on October 7, 1910, this man testified that he was in the Briggs House on the 17th of June, 1909; that between 12 and half past 12 o'clock he heard a conversation between Browne and White; that it occurred in the public rotunda; that he saw these men step aside from some other gentlemen, and heard the following conversation between them: That Mr. White said, "I am going home and I am broke. Can you let me have a little money?" Mr. Browne replied, "I haven't much. How much do you want?" Browne took some money out of his pocket and handed White a few \$5 bills, about \$25; that White bade Browne good-by and went away (p. 669). Simmons says that he did not see either of these men again until the Browne trials, over a year afterwards; that he went to the Briggs House to see a man named Walsh that he supposed was there; that on the following day he was to have a meeting of the board of directors of a new company he was organizing, and he had heard that Walsh had been successful in some operations out West, and he wanted him for a director, and went to the Briggs House to see him (pp. 669, 670). He says he got a call to go to the Briggs House that day, but he does not know who it was from; that he went up to the desk; that Walsh was not there and he did not meet him until about three months after that (p. 671). The first time that Simmons recalled this circumstance was in May, 1910, when he saw Browne's picture in a newspaper, and he says he told it to Mr. Ayers, a friend of Browne; that he then met Browne at the office of Mr. Ayers and gave him the benefit of the story.

Now, I do not believe that this man Simmons is telling the truth. I have tried a few lawsuits before country juries and have judged the truthfulness of one witness as against the falsehood of another, and I do not believe a word of this story.

Browne and White were total strangers to him. He did not go to the Briggs House to see them, if he went there at all. He was there on business of his own with another man. The lobby of a Chicago hotel always has groups of men standing about in it; there was nothing whatever unusual in the circumstance he narrates to attract the attention of a person accustomed to seeing the usual crowd in a hotel lobby; nothing happened to call the matter to his mind for 14 or 15 months after it occurred, and then he claims to have told it for the first time to Ayers, an attorney for Browne, and to Browne himself, who was desperately in need of testimony just then. The story of this man is lacking in the elements that convince, and, in my opinion, it is not entitled to any weight whatever. When one looks at all this testimony offered to impeach White and considers it as a part of the whole story, the general effect of it is not to impeach the truthfulness of the main story as told by White, but rather to strongly corroborate and confirm it.

I now come to my next grouping of the testimony offered in behalf of Mr. LORIMER, namely, the denials of Browne, Broderick, and Wilson of the charge that they paid money to certain members as a consideration for their votes for him. Four witnesses have admitted under solemn oath that they received money from these men soon after the legislature adjourned. Holstlaw says that on June 16 he received \$2,500 from Broderick, and that in the latter part of July he received \$700 more from Broderick. The chief clerk of the State Bank of Chicago—this is a little review—Jarvis O. Newton, testified that on the 16th day of July Holstlaw personally came into that bank and deposited \$2,500; the identical deposit slip made by him at the time is in evidence. Holstlaw says that Broderick told him there was \$2,500 in it for him if he voted for LORIMER. He says Broderick sent him a letter or telegram to come to Chicago before he appeared there, and got the money on the 16th of June, and that he came pursuant to that notice. Broderick does not deny sending him such a letter, but denies paying him the money. Senator FRAZIER brought out the transaction between these men on June 16 very neatly by the following questions to Holstlaw (p. 210):

- Q. Well, what occurred?—A. Well, he handed me \$2,500.  
Q. Did he count it out to you?—A. Yes, sir; he counted it.  
Q. Did you count it?—A. I did not take hold of the money, but I just ran over it as he did.  
Q. What did he say?—A. He said, "There is that \$2,500."  
Q. Did you make any response at all?—A. I didn't say anything at all.  
Q. Just took the money?—A. Just took the money.  
Q. What did you do with it?—A. I took it and put it in the bank.  
Q. Did Mr. Broderick owe you anything at that time?—A. No, sir.



Q. The only occasion you had—the only connection you ever had with Mr. Broderick about the \$2,500 was the conversation you had with him on the night of the 25th?—A. That is all.

Q. And it was a strictly shut-mouth business between you and Broderick?—A. Yes, sir.

Q. And you got the money?—A. Yes.

Q. And kept it?—A. Yes, sir.

Mr. President, this is not the way men act in an honest transaction; this was a guilty transaction between guilty men. Holstlaw had sold his vote and was now receiving his pay for it. In the face of this testimony, and the strong and undisputed corroborative testimony, of what avail is it for Senator John Broderick to deny the payment of money to Holstlaw? Browne denies paying any money for votes or for any other purpose to Link and Beckemeyer and White. But these three men squarely contradict him, and each tells the facts in detail in his own way, and these facts all dovetail together, as true facts related to each other always do.

How powerful is truth! It has its own logic, and the mere attempt to break it strengthens it. Truth is an attribute of God Almighty. These men vindicated truth in these miserable attempts to overthrow it. These three men are uncontradicted.

So, also, does Wilson deny paying jack-pot money to these men, but except as to their different claims as to the reasons why the meetings were called at the Southern Hotel on June 21 and July 15, these men, including Browne and Wilson, all agree, and they are corroborated by the hotel register and the telegrams and letters written about the meeting, which are in the record here.

The testimony against them is entirely too strong, Mr. President, to be impaired in the slightest degree by the mere denials of Browne and Wilson that they paid money there. And if they did pay it, what did they pay it for? There can be but one answer to that question. Attempts to show that the money was paid as a mere gift, or for election expenses, only weave the threads of guilt tighter and tighter around the misguided men who attempt to take refuge behind so flimsy a pretense. It was to pay them for the votes they had corruptly cast for Mr. LORIMER for the office of United States Senator—and for no other purpose—that this money was paid in St. Louis. Here again Senator FRAZIER rendered a service to the Senate and the country by asking clear-cut and pointed questions. Notice the following which came out during his examination of Beckemeyer (pp. 256, 257):

Senator FRAZIER. Q. What did Mr. Browne give you the \$1,000 for on the 21st of June?—A. I could not tell you, except at the time he gave me the money he made the statement that I mentioned before.

Q. What was that?—A. "Here is the Lorimer money, and there will be some more in a few weeks."

Q. "Some more in a few weeks?"—A. Yes; as I remember, that was his statement. I was only with him in that room for five minutes.

Q. And you understood that this \$1,000 was paid to you in consequence of your having voted for Mr. LORIMER for United States Senator?—A. Well, I could not possibly infer anything else.

Q. And when Mr. Browne met you at the station—I believe you called it Starved Rock—he told you he would have a package for you?—A. Yes, sir; Starved Rock; somewhere out here on the Illinois Central; that is right.

Q. Some days after that you received a communication from Mr. Browne to meet him in St. Louis on the 21st of June?—A. Yes.

Q. In response to that communication you met him?—A. I did.

Q. At that time he gave you \$1,000, with a statement that it was the Lorimer money?—A. Yes.

Q. Did you take it and keep it?—A. Yes, sir.

Beckemeyer, in much the same way, told of going to St. Louis on the 15th of July and receiving \$900 more from Wilson. Link testified that he went to St. Louis on the 15th of July, upon an invitation to meet Browne at the Southern Hotel.

Q. What else took place?—A. Mr. Browne handed me some money.

Q. What did he say when he handed you the money?—A. He said, "Here is a package for you."

Q. What amount?—A. I do not think he mentioned the amount; I don't remember.

Q. Well, did you look at it?—A. Oh, I did afterwards.

Q. How much was it?—A. \$1,000.

Q. Did you ask him what it was for?—A. No, sir.

Q. Weren't you interested in knowing?—A. No, sir.

Q. You took it, did you?—A. I thought it was campaign money (pp. 280, 281).

He gives much the same sort of account of his trip to St. Louis to meet Wilson on July 15 and tells us that in the bathroom Wilson gave him \$900, with no explanation except "here is some money for you." And he says he was not surprised when he got it; that he considered it was campaign money, and adds: "I had a right to consider it that way if I saw fit, and that is the way I looked at it" (p. 284). Now, of what avail is it for either Browne or Wilson to deny that they paid these members of the legislature money at all for any purpose at St. Louis on June 21 and July 15, in the face of this testimony? And who can have any doubt that the money was paid to complete a corrupt transaction in which these men had sold and delivered their votes to the managers of Mr. LORIMER's campaign for election to the high and honorable office he seeks to hold as a Member of this body? Oh, it is said, the testimony

of Link and Beckemeyer and Shephard is worthless, because it was given under duress. Let us look at that claim for a moment.

Now, I hope the committee will be here, for I find some other omissions, and I think they are unfortunate omissions. I excuse the committee, but whoever furnished the transcript that the committee used in putting this testimony in here to show duress in giving his testimony the committee on pages 6, 7, 8,

For the purpose of showing that the witness Link was under duress in giving his testimony the committee, on pages 6, 7, 8, 9, 10, 11, 12, and 13 of its report sets out what purports to be Link's testimony giving his experience at the time he was in the custody of an officer and under the control of the grand jury and the State's attorney for Cook County. For some reason the committee omitted some very important parts of that particular testimony. For instance, on page 6 certain questions and answers appear, as follows:

Senator BURROWS. State what you said before the grand jury.—A. Well, I answered questions, but I disremember what all the questions he asked me were.

Senator BURROWS. State those you can remember and your replies.—A. I denied receiving any money for voting for Senator LORIMER.

By Judge HANEY:

Q. Then did you leave the grand jury room?—A. Yes, sir.

Q. After those different questions were asked you?—A. Yes, sir; at that time I did.

To show the omission to which I refer, I will read this same testimony as it appears in the record on page 291:

Senator BURROWS. State what you said before the grand jury.—A. Well, I answered questions, but I disremember what all the questions he asked me were.

Senator BURROWS. State those you can remember and your replies.—A. I denied receiving any money for voting for Senator LORIMER.

The following question and answer were omitted by the committee:

Senator BURROWS. What else?—A. Denied meeting parties in St. Louis; I didn't remember of meeting them; that is, at that time.

That is the statement upon which he was indicted, and yet they try to make out that he was indicted for the purpose of using the indictment as a means of duress and seek to leave the inference that the indictment was for that purpose and had no other foundation. They leave out of his testimony the very statements he made which furnished the basis for that indictment. Whose trick is this?

Q. They asked you whether or not you had made any promises or agreements to vote for Senator LORIMER?—A. No, sir; not at that time. I guess not. I don't remember that.

Q. And did you leave the grand-jury room?—A. Yes, sir.

This testimony has reference to the first time that Link went before the grand jury, at which time he denied meeting the other members in St. Louis and denied being there, and for these false statements he was indicted for perjury. And Clark is the man who put up that job. He told Link, and he advised Beckemeyer at their meeting at Springfield, or at the Centralia meeting, that it would be all right for him to deny that they were ever at St. Louis at all, and they were acting on his suggestion, and they swore to this false statement and were indicted. But this transcript leaves that out.

The way the committee printed this part of his testimony, on page 6, they made it appear—no doubt inadvertently—that Link had not denied in that testimony that he was in St. Louis and met these parties there. Again, at the top of page 9 of the committee's report, between the first and second questions, the following omitted question, appearing on page 294 of the record, should appear:

Q. Do you remember the incident of a young lawyer coming there and saying to you and some officer of the State's attorney's office, "What are you holding this man for?"—A. No; the substance I do; I don't remember the exact language.

Also, after the following question and answer, near the top of page 9, "He did stay here until that time?"—A. Yes, sir," the following questions and answers, found on page 294 of the record, should appear:

Q. Now, was he in the room of the same hotel or place here in Chicago when you and Detective O'Keefe were there, when this young lawyer came in and asked O'Keefe, "Why are you holding him in custody?"—A. He certainly was. I remember the conversation, I think; but I paid no attention to it at the time.

Q. Did the detective threaten that if this lawyer did not go out that he would arrest him and take him before the grand jury?—A. It made him rather spunky; I disremember the exact words, but he said something in that line.

Q. He gave him to understand that he would have to keep away?—A. Yes, sir.

It would seem from this, Mr. President, that it was a wise thing for the grand jury and the State's attorney to keep a close supervision over this witness; some one was evidently trying to tamper with him.

Mr. President, there are two sides to this question of duress. You turn a witness like Beckemeyer or Link or White loose in the city of Chicago with the outfit that would get on his trail

there for the purpose of putting him under duress in some other way or for the purpose of suborning his testimony, and it is wise indeed for the State's attorney to have some one along to protect the witness. The testimony which shows that a young lawyer was following this witness about, trying to get him away for the purpose of talking to him on the side, and who had to be rebuked, had to be driven out of the hotel by the officer, was not put in this part of the testimony submitted in the report.

Also, on page 9 of the committee report, after the following question and answer: "Q. By the same grand jury you had been before?—A. Yes, sir," the following question and answer, found on page 295 of the record, have been omitted:

Q. Was it for perjury for not telling them you had received money for voting for LORIMER?—A. That I had not met Robert Wilson—who money consideration in it at all—but that I had not met Robert Wilson.

Also, on page 11 of the committee report, after the following question and answer, near the top of page: "Q. That was not true?—A. That was not true; no, sir," the following is omitted:

Q. And that is what the State's attorney wanted you to tell the grand jury, was it not?—A. I presume just two answers, if I would answer when I went before the grand jury; that is all that Mr. Wayman asked me, was those two questions.

Mr. AUSTRIAN. What were they?

Judge Hanecy did not want the witness to say what they were.

Judge HANECY. I am examining him.

Senator BURROWS. We will probably get at that.

Q. Did Mr. Wayman there tell you at that time that he indicted you that he was going to take you before the criminal court, if you did not tell the grand jury what he wanted you to tell?—A. I don't quite understand the question. (Record, p. 298.)

Now, it was very unjust to Mr. Wayman, the State's attorney, to set out the other portions and omit these portions of this testimony from the report. The following is another omission: After the words, "A. That in substance," on page 11 of the committee report, the following, found at page 298 of the record, has been omitted:

Q. Did Mr. Wayman then take you before the grand jury?—A. I went with Mr. Wayman before the grand jury a few minutes before 10 o'clock Saturday, the following day after this conversation took place.

Q. Did you tell the grand jury then, on the questions of Mr. Wayman, what Mr. Wayman wanted you to tell them?

Senator BURROWS. What did he tell?

These omitted questions show that Judge Hanecy, counsel for Mr. LORIMER, was attempting to put Mr. Wayman, the State's attorney, in the attitude of trying to coerce this witness to give false testimony; but when all the evidence on that subject is examined, it entirely acquits Mr. Wayman of that charge. There is another omission on page 12 of the committee report. After the words, "He wouldn't let me answer the question at all," which appear near the bottom of that page, the following words, found at page 300 of the record, are omitted:

Q. Did Mr. Wayman tell you to answer "No" to that question, put by the State's attorney and grand jury in Sangamon County?—A. He had a representative—Mr. Reed, the lawyer there at Springfield—that read a great many decisions in relation to incriminating yourself, etc.

Q. Did he send an assistant down there—an assistant attorney—to Sangamon County grand jury with you?—A. Not with me; but there was one there.

Q. He met you there?—A. Yes, sir.

Q. To advise you and represent you there?—A. Yes, sir.

Q. Who was he?—A. An attorney by the name of Reed.

Q. F. F. Reed?—A. I don't know his initials; but his name was Reed; from Aurora, I think.

Now, the facts, Mr. President, as they plainly appear in the record, are that Link, when he went before the grand jury the first time, denied that he had met anyone in St. Louis and denied that he had received any money there, and he was indicted for perjury; interested parties were hanging around to approach him and encourage him to persist in withholding the truth. He was, of course, a most unwilling witness, and all that the State's attorney, his assistants, and the officers who held him under surveillance did was to keep the gang that had brought ruin upon this man away from him and to encourage him to tell the truth. There is not a syllable of testimony to indicate that at any time they sought to compel him to testify falsely.

Duress—duress, under such circumstances! He was finally persuaded to tell the truth. The committee might, it seems to me, along with the testimony they put into their report, have put in the following part of Link's testimony along with it:

A. At that first interrogation, the question of Robert Wilson was discussed, but not the Browne thousand dollars.

Q. All right then; the one they first interrogated you about when you went before the grand jury, as to whether or not you had met Wilson in St. Louis?—A. I denied it.

Q. Was that true, or a falsehood?—A. I guess it was a falsehood; but I didn't remember of meeting him at that time, or didn't know the date.

Q. You stated you didn't meet him at all, didn't you?—A. I stated afterwards that I did meet him.

Q. You stated afterwards that you did meet him, but that was afterwards; after you had been indicted for perjury?—A. Yes, sir.

Q. Did anyone at any time ever ask you to tell a lie?—A. Not in that kind of terms.

Q. Tell me if anyone connected with the State's attorney's office, the State's attorney, his assistants, officers, employees, asked you to lie?—A. They didn't ask me to lie (p. 302).

Well, then, if they did not ask him to lie, and he says they did not, and they induced him to tell the truth, where is your duress?

Q. The perjury charge was correct, was it not?—A. Afterwards it proved it was; yes, sir (p. 303).

Senator FRAZIER. If it were true that you met Wilson in St. Louis and he paid you \$900, and that you met Browne and he paid you \$1,000, why didn't you tell that when you came up here before the grand jury and before Mr. Wayman? What were you concealing it for?—A. I didn't want to get myself, perhaps, in trouble and my friends in trouble. I didn't know where the money came from. That was the only reason.

Q. Why didn't you tell it if it were a fact that you got it, and that you met those gentlemen? What were you trying to conceal it for?—A. I didn't know anything what there was about it, and I didn't desire to criminate myself for taking this money. I didn't know where it came from.

Q. If it were a present to you, and a fair and honest transaction for campaign purposes, or a gift or otherwise, why were you trying to conceal it?—A. I had no reason at all for concealing it.

Q. Why didn't you tell it?—A. Pardon me, I will correct that. I was afraid of getting somebody into trouble; I didn't know where this money came from.

Q. Who were you afraid of getting into trouble?—A. Friends of mine, or myself.

Q. Who were your friends?—A. I had a great many friends on the Republican side and on the Democratic side in the general assembly.

Q. How would you get your friends into trouble by telling the truth, if this were a perfectly honest and legitimate transaction?—A. I didn't know how it would get them into trouble, only it struck me I might get them into trouble.

Q. You didn't care to admit that some one had given you \$1,000, without any explanation about it?—A. No, sir (p. 305).

This testimony shows that the State's attorney did nothing more than to persuade this man to tell the truth and that he made no attempt whatever to induce him to tell a falsehood. In fact, he succeeded in inducing him to repudiate his previous falsehood and to tell the truth. He had much the same experience with Beckemeyer. The gang of boodlers who feared they would get hurt by the coming exposure sent a man named Welch, a saloon keeper, who lived at Carlyle—Beckemeyer's home—around with him to persuade Beckemeyer to keep still and give up nothing (record, p. 241); and every once in a while he would tell Beckemeyer "keep your mouth shut," and he went on to tell him to keep his mouth shut; and Beckemeyer at first denied being at St. Louis and denied receiving any money, and was indicted for perjury; but he finally weakened and told the truth; so did Holtslaw. When Beckemeyer was before the committee he was asked about whether threats and duress were used upon him, and he gave the following testimony upon that point:

Q. Were there any threats or duress used upon you for the purpose of making you tell everything with reference to the LORIMER payment of money that you have testified to here?—A. There was not.

Q. Did you tell the truth, then, as you have told it now?—A. Yes, sir (p. 254).

Mr. President, it is the common practice of shrewd attorneys defending persons charged with crime, when the case is a desperate one, to try by a counterattack upon the prosecuting attorney to divert the attention of the jury away from the guilty man; they proceed to try the State's attorney and the prosecuting witness.

There are too many lawyers here to have any question about that statement. This is the method pursued in this case. The court in Cook County first took jurisdiction in the indictment of these offenders, then the grand jury at Springfield returned indictments involving an inquiry into the same offenses, or into charges which, while not the same, depended for proof upon the same witnesses and upon many of the same facts. Nice questions arose concerning the venue where the offenses were triable. The voting was done at Springfield, but the money was paid in Chicago and St. Louis.

Shrewd men were managing this. Browne is no fool—hardened in crime and trained in scheming and planning to carry it out without being caught.

Mr. Wayman, the State's attorney of Cook County, who had procured indictments against Browne in that county, and who had detained White, Link, and Beckemeyer as witnesses, did not want to have his case prejudiced by mistakes which might be made in Springfield. When Link or Holtslaw or Beckemeyer were haled into court at Springfield, he sent an attorney there to represent him and to see that nothing should occur that might embarrass the proceedings he had pending in Cook County; through his assistant at Springfield he advised these witnesses to claim their constitutional rights when called upon to testify at Springfield. All that is immaterial to the investigation we are making here. It does not in the slightest degree affect the proof of any fact established by the evidence sub-



mitted to this Senate. Neither does the acquittal of Lee O'Neil Browne shake the force of the proof found in this record. He might escape conviction by a jury in Illinois in a case like this where acts which we can properly consider here could not be considered there, perhaps because they occurred in Missouri or because of other technical difficulties. The fact that Browne and Broderick and Wilson have been reelected to the legislature of Illinois, if it be true, should have no weight here; under the minority representation provisions in Illinois, where one voter may mass three votes upon one candidate for the legislature, it is not surprising that constituencies that were so careless as to send these men to the legislature several times in the past should do so again. But that does not affect the probative force of the testimony found in this record, which, it seems to me, is convincing, and which proves to a reasonable certainty that the votes of Browne, White, Holstlaw, Clark, Link, Beckemeyer, Luke, Shephard, De Wolf, and Broderick, cast for Mr. LORIMER, were corrupt votes. And can one conclude, after carefully reading all of the evidence here, that Mr. LORIMER himself did not know that fraud was being committed? I wish I could believe that he did not, because I bear him no ill will and would not do him the smallest injury or injustice knowingly. But I can not overlook the fact that for days and nights immediately preceding the 26th day of May, 1909, when these corrupt and tainted votes were cast for him, he was in Springfield directing his own campaign; that he was in almost constant conference with Lee O'Neil Browne and Speaker Shurtleff; that they reported progress to him, and that he assured Shephard, the Democrat, personally, that he would procure the appointment of his friend as postmaster at Jerseyville if Shephard would vote for him, and that Shephard afterwards turned up with the other boodlers at St. Louis on June 21 and July 15 to get his share of the money reward distributed by Browne and Wilson; that Mr. LORIMER personally had a talk with Link before his election and secured Link's promise to vote for him, and that this same Link also appeared with the boodlers at St. Louis and got his reward in cash. Mr. President, I regret to say it, but I am personally convinced that Mr. LORIMER knew enough about what was going on at Springfield to put a reasonably prudent man upon inquiry; that Shurtleff and Browne were his political agents, and that he ratified their acts and accepted the fruits of their corrupt practices, of which he must at least have had some knowledge, and that he was not legally and duly elected to a seat in the Senate of the United States by the legislature of Illinois.

White says that when Browne paid him \$850 Lorimer money at the Briggs House, in Chicago, on June 16, 1909, he "had a belt around his waist that was made of blue cloth and pinned on with safety pins;" that Browne told him that he carried money in that belt and that he had \$30,000 on his person the day before (p. 81). Whose money was it? What special interests were using money so lavishly as that among members of the legislature of Illinois? And for what purpose? Was it to strangle legislation at Springfield and to send a representative to this body? People in these days indulge in all sorts of attacks upon Congress, and most of the attacks are both unfair and unfounded. Magazines cruelly and wantonly assail the names of men in public life who are above reproach. This is all wrong. I have no sympathy with it. I believe that a very great majority of the men in official life to-day are faithful servants of the public. Character and reputation should not be wantonly assailed. A man who will attempt, out of malice, to destroy the good name of a fellow man is no better than a murderer. But whither are we drifting if conditions like these at Springfield are to be passed over in silence? We may make mistakes in framing tariff laws, Mr. President, but they can be amended. We may adopt wrong policies in the administration of public affairs, but they can be corrected. But, sir, what is the future of representative government if men are to enjoy seats in the legislative department which have been purchased with paltry gold? What is to become of our institutions and who can answer for to-morrow if legislation in great States like Illinois is to be bought and sold by men who are provided with a corruption fund for that purpose—a United States Senatorship thrown into the bargain? Where is all this to end? Is all sense of honor benumbed and is conscience only a myth? In the Senate of the United States, with all its traditions, its proud sense of honor, its noble dignity, and its lofty standards, to forget the warnings uttered time and again in this historic Chamber? Are the voices of the past, which in this place have so often stirred the hearts of men and the supreme faith which inspired the fathers who wrought here, to be overwhelmed by a corrupt and sordid tendency which would sacrifice every public trust upon the altar of commercialism and make a thing of merchandise of every public duty? Are the Members of this

Senate willing that testimony like this, which I have attempted to review here, shall be put aside as insufficient to overthrow a formal certificate of election simply because that certificate comes here under the seal of a great State?

I know Senators will not do that if they see this evidence as I see it. I claim no superior virtue and would not reflect in the smallest particular upon the sincerity and good faith of any Senator. My only fear is that the testimony was so much broken into by interruption and arguments of counsel during the hearings and the time in which to weigh and analyze it was so short that the subcommittee did not give it the weight to which, it seems to me, it is entitled, and the full committee had little opportunity to examine it before submitting their report. I may be wrong, sir, and the subcommittee may be right; but I am bound to say that I am not willing that this report shall be adopted without my protest. On the other hand, I stand ready to vote for a resolution declaring that Mr. LORIMER was not legally and duly elected to a seat in the Senate of the United States by the legislature of the State of Illinois.

I thank the Senate.

#### INSPECTION OF LOCOMOTIVE BOILERS.

Mr. BURKETT. I ask the Senate to take up the bill (S. 6702) to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. BURKETT. I move to amend the amendment of the committee in section 2, page 17, line 3, by striking out all after the word "thereof" and inserting what I send to the desk.

The VICE PRESIDENT. The amendment bill be stated.

The SECRETARY. In section 2, on page 17, line 3, after the word "thereof," strike out the remainder of the section and insert in lieu of the words stricken out the following words:

Are in proper condition and safe to operate in the service to which the same is put, that the same may be employed in the active service of such carrier in moving traffic without unnecessary peril to life or limb, and all boilers shall be inspected from time to time in accordance with the provisions of this act, and be able to withstand such test or tests as may be prescribed in the rules and regulations hereinafter provided for.

The amendment to the amendment was agreed to.

Mr. BURKETT. In section 5, page 20, line 16, I move to strike out the word "carriers" and to insert "carrier."

The amendment to the amendment was agreed to.

Mr. BURKETT. On page 20, line 19, I move to strike out the word "carriers" and to insert "carrier."

The amendment to the amendment was agreed to.

Mr. BURKETT. On the same page, after line 21, I move to insert—

Mr. KEAN. I call the attention of the Senator from Nebraska to another amendment on page 20 of the former print, line 13, to insert the word "and" after the word "office."

Mr. BURKETT. I have that amendment prepared. It comes in on page 21 of the new print. On page 20, line 21, after the words "hereinafter provided," I move to insert the following proviso:

*Provided also,* That such common carrier may from time to time change the rules and regulations herein provided for, but such change shall not take effect and the new rules and regulations be in force until the same shall have been filed with and approved by the Interstate Commerce Commission.

The amendment to the amendment was agreed to.

Mr. BURKETT. On page 21, line 4, after the word "office," I move to insert the word "and."

The amendment to the amendment was agreed to.

Mr. BURKETT. On page 21, lines 5 and 6, I move to strike out the words "and prescribing specifically the requirements under section 2."

The amendment to the amendment was agreed to.

Mr. BURKETT. In section 6, on page 22, line 1, I move to strike out the words "engine or engines affected" and to insert "boiler or boilers or appurtenances pertaining thereto."

The amendment to the amendment was agreed to.

Mr. BURKETT. In section 6, on page 22, line 18, after the word "condition," I move to strike out all of the amendment down to and including the word "effective," on page 23, line 4, in the following words:

*Provided,* That a carrier, when notified by an inspector in writing that a locomotive boiler is not in serviceable condition because of defects set out and described in said notice, may within five days after receiving said notice appeal to the chief inspector by telegraph or by letter to have said boiler reexamined, and upon receipt of the appeal from the inspector's decision the chief inspector shall assign one of the assistant chief inspectors or any district inspector other than the one from whose decision the appeal is taken to reexamine and inspect said boiler within 15 days from date of notice. If upon such reexamination the boiler is found in serviceable condition, the chief in-

spector shall immediately notify the carrier in writing, whereupon such boiler may be put into service without further delay; but if the reexamination of said boiler sustains the decision of the district inspector, the chief inspector shall at once notify the carrier owning or operating such locomotive that the appeal from the decision of the inspector is dismissed, and upon the receipt of such notice the carrier may, within 30 days, appeal to the Interstate Commerce Commission, and upon such appeal, and after hearing, said commission shall have power to revise, modify, or set aside such action of the chief inspector and declare that said locomotive is in serviceable condition and authorize the same to be operated: *Provided further*, That pending either appeal the requirements of the inspector shall be effective.

The amendment to the amendment was agreed to.

Mr. BURKETT. In section 8, on page 24, lines 21 and 22, I move to strike out the words "district inspector of the district in which said accident occurs" and to insert in lieu thereof "chief inspector."

The amendment to the amendment was agreed to.

Mr. BURKETT. On page 24, lines 23 and 24, I move to strike out the words "by said inspector or."

The amendment to the amendment was agreed to.

Mr. BURKETT. In line 24, on page 24, I move to strike out the words "inspector general" and insert "chief inspector."

The amendment to the amendment was agreed to.

Mr. BURKETT. In line 25, after the word "assistants," I move to insert "or such inspector as the chief inspector may designate for that purpose."

The amendment to the amendment was agreed to.

Mr. BURKETT. On page 25, lines 6 and 7, I move to strike out the words "district inspector or inspector general or an assistant" and insert "chief inspector or an assistant, or the designated inspector making the investigation."

The amendment to the amendment was agreed to.

Mr. BURKETT. On page 25, lines 12 and 13, I move to strike out the words "and a copy of said report shall be published as a part of the annual report of the said chief inspector," and to insert:

The Interstate Commerce Commission may at any time call upon the chief inspector for a report of any accident embraced in this section, and upon the receipt of said report, if it deems it to the public interest, make reports of such investigations, stating the cause of accident, together with such recommendations as it deems proper. Such reports shall be made public in such manner as the commission deems proper. Neither said report nor any report of said investigation nor any part thereof shall be admitted as evidence or used for any purpose in any suit or action for damages growing out of any matter mentioned in said report or investigation.

The amendment to the amendment was agreed to.

Mr. BURKETT. I ask to go back to page 19, line 22. After the word "their," in line 22, on page 19, I move to insert the word "practical."

The SECRETARY. On page 19, line 22, before the word "experience," insert the word "practical."

The amendment to the amendment was agreed to.

Mr. HEYBURN. I should like to inquire of the Senator in charge of the bill whether there is not an inconsistency between the provision at the bottom of page 16 and that at the beginning of section 5. We amended the bill by striking out "January" and inserting "July," so that the act does not become operative until the 1st of July. Section 5 requires—

That each carrier subject to this act shall file its rules and instruction for the inspection of locomotive boilers with the chief inspector within three months after the approval of this act.

This act will be approved not later than March 4. There are four months intervening between March 4 and the 1st of July, and if it is not a law until the 1st of July it does not become operative. Yet the bill undertakes to provide that within three months after the approval of the act the parties shall do a certain thing. I think the date should be changed.

Mr. CUMMINS. Mr. President, inasmuch as I happened to be chairman of the subcommittee which reported the bill and am therefore quite familiar with that part of it, I suggest to the Senator from Idaho that there is no inconsistency, for this reason: Section 2 of the bill simply renders certain acts of common carriers unlawful after the 1st of July, 1911. The bill, however, is in full force and effect after it is approved by the President. But section 5 relates only to the reports, statements, rules, and regulations that shall be filed by the several carriers with the chief inspector or the Interstate Commerce Commission.

The idea was that we should give the railroad companies from now until the 1st of July to put their locomotive engines in such a condition as that they will not become unlawful in use under section 2; but we desired that the companies shall be required to furnish their rules for inspection, in the meanwhile, to the Interstate Commerce Commission or the chief inspector, so that the rules for inspection may be put into force. There is a very marked difference between rendering a boiler in use unlawful, subject to prosecution before a grand jury, and the inspections which are provided for in section 5.

Mr. HEYBURN. It seemed to me from rather a casual inspection of the bill, since it has been under consideration just within a day, that there was an inconsistency in requiring a party to comply with the law before it was in effect.

Mr. CUMMINS. The Senator from Idaho totally, I think, misconceives the operation of the statute. It consists of two parts. First, it declares that it shall be unlawful for any common carrier to use a boiler unless it be in a safe condition. That is a general obligation resting upon the railway companies entirely distinct from any inspection that may ever occur.

The second part of the bill creates a system of inspection under the chief inspector and district inspectors, and the rules and regulations which are provided for in section 5 are those which relate to the inspection that shall be made by the railway companies themselves of their boilers. This is simply a provision from which it is hoped there will follow greater care upon the part of the railway companies in the inspection of their boilers, and that there will be some uniformity in the rules relating to those inspections. But section 2 would be entirely operative if no part of the bill which follows section 2 were enacted.

Mr. HEYBURN. But I think it would present this position: Section 2 is penal in its nature. It provides that in the event certain things are not done a penalty shall be imposed. That applies to all of section 2. Section 3 merely provides for the appointment of those who shall carry the law into effect, for supervising—

Mr. CUMMINS. Not that part of the law, Mr. President—

Mr. HEYBURN. Well, it provides for the appointment of those who shall administer the law.

Mr. CUMMINS. Because, in my opinion, under section 2 prosecutions could take place, no matter what might or what might not be done under—

Mr. HEYBURN. Not until July 1.

Mr. CUMMINS. Not until July 1, without regard to what might be done under other sections.

Mr. HEYBURN. So the penal provisions are not operative until July 1.

Mr. CUMMINS. Therein the Senator from Idaho is not quite right, because there are penal provisions for violating the rules and regulations precisely as—

Mr. HEYBURN. I am referring to this particular section.

Mr. CUMMINS. There are penalties for the violation of the general penal provisions.

Mr. BURKETT. Does the Senator understand that section 2 provides that an engine can not be run unless it is in a certain condition?

Mr. HEYBURN. Section 2 does not provide for anything until July 1.

Mr. BURKETT. After July 1. The other provision is simply for a report to show what kind of inspection has been made.

Mr. HEYBURN. It says "each carrier subject to this act." That refers to this act. This is not an amendment of existing law. This is the initiation of a new law. So it must find all its support within its own language.

Mr. BURKETT. Section 1 states what carriers are under the act.

Mr. HEYBURN. That is merely the enumeration of the parties subject to it. I may not be correct in this, but I want to have some explanation of it, because section 5 says "each carrier subject to this act." Subject to what provisions of this act? Not subject to the provisions in section 2, which are penal in their nature.

Mr. BURKETT. If there were not any section 2 in the act—

Mr. HEYBURN. But the phrase "subject to this act" must relate to something as a basis of the reports.

Mr. BURKETT. Section 2 has the same expression—that any common carrier whose officers are subject to this act shall not run engines that are not in a certain condition. Then section 5 says that each carrier subject to this act shall file its rules within a certain time.

Mr. HEYBURN. But it can not be subject to it until the 1st of July.

Mr. BURKETT. It can not be subject to section 2 until the 1st of July, but section 5 provides that it shall be effective within three months after the act shall be approved.

Mr. HEYBURN. Yes; but it is "subject to this act." I do not intend to enter into any very extended consideration of it, but I wanted to understand the view entertained by the committee and by those in charge of the bill in order that it might not escape our notice. It is a fact that yesterday when this bill was under consideration we changed "January" to "July."



Mr. CUMMINS. The bill was reported at the last session, if I may be permitted to interrupt the Senator from Idaho. There have been, however, almost continuous conferences between the representatives of the railway companies and the representatives of those professions or avocations which are interested in the inspection of boilers for their own personal safety, and from time to time there have differences arisen.

I will say frankly that I favored the proposition that section 2 should be operative immediately upon the passage of the law, but the representatives of the railway companies urged that inasmuch as we were here putting a penalty upon the railway companies if their locomotives were found to be in a certain condition we ought to give them a reasonable time in which to prepare their equipment, so that they would not be subject to criminal prosecution and penalties until a later date; and that is what led to the introduction of the 1st of July, 1911, just as when we originally reported the bill it was the 1st of January, 1911. Inasmuch as that time has passed we put forward the date.

Mr. HEYBURN. I wish just to make an inquiry. The committee evidently considered that the obligation to file this copy of the rules and instructions ought not to be applied until three months after the bill was passed.

Mr. CUMMINS. No.

Mr. HEYBURN. That evidently was the intent, because that is the letter.

Mr. CUMMINS. No; I do not so understand it.

Mr. HEYBURN. The difference between January and July—

Mr. CUMMINS. I understand that the duty begins with the passage of the act, but that the duty must be performed within three months after the passage of the act. It is thought that it would not be practicable if a very short time were fixed in which this work should be done. It is a considerable work, as you can readily see. It was believed, therefore, to be wise to give the railway companies three months in which to get together their rules and regulations—

Mr. HEYBURN. After the passage of the act?

Mr. CUMMINS. To get together their rules and regulations and present them to the authorities to be reviewed and modified, if there was necessity for it.

Mr. HEYBURN. It only seemed to me that when you changed the date you should make the other dates to conform to the original plan or scheme of the bill. But the committee has given the matter consideration, and I am not at all inclined to pursue the consideration of it further, only to point out the seeming inconsistency.

Mr. BURKETT. I will say to the Senator that the railroads did not ask for any more time than that. These rules and regulations, I will say to the Senator, are very largely in form now. They all have rules and regulations, but it will take a little while to make them conform to each other.

Mr. President, in the first line of section 7, line 12, page 34, I see that the words "inspector general" are left in the bill. I move to strike out "inspector general" and to insert "chief inspector," to make it conform to the rest of the act.

The amendment to the amendment was agreed to.

Mr. WARREN. I will ask the Senator whether the same correction has been made on page 26, toward the end of section 15?

Mr. BURKETT. The last section?

Mr. WARREN. Yes.

Mr. BURKETT. On page 26, line 16, strike out "inspector general" and insert "chief inspector."

The VICE PRESIDENT. It is a misprint where it has not been done. The Senate ordered it to be done in every instance.

Mr. BURKETT. I think, under the order which we made yesterday, that change should be made.

The VICE PRESIDENT. Certainly it should. There is no question about it.

Mr. WARREN. In one or two other places the change has been made as we have gone along. I hope the clerks will be instructed to carefully examine the bill.

The VICE PRESIDENT. The Senate has so ordered. It was done yesterday. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. SMITH of Michigan. I would like to ask the Senator from Nebraska if these inspectors are to be appointed under the Civil Service Commission.

Mr. BURKETT. They are.

Mr. SMITH of Michigan. And all the force required to give effect to the bill?

Mr. BURKETT. There is no other force except the clerical force, and that is to be provided by the Interstate Commerce Commission. That, of course, is already under the civil service.

The bill provides that the Interstate Commerce Commission shall furnish such clerical help as may be needed, and that is under the civil service.

Mr. CUMMINS. The chief inspector and two assistants are not under the civil-service rules.

Mr. SMITH of Michigan. Are the inspectors in the first instance to take a civil-service examination?

Mr. BURKETT. They are to be appointed after a civil service examination.

Mr. SMITH of Michigan. If so, I suggest to the Senator it will require a considerable time to get an eligible list for this new work from the Civil Service Commission.

Mr. BURKETT. We have a considerable time.

Mr. SMITH of Michigan. How much?

Mr. BURKETT. Until the 1st day of July.

Mr. SMITH of Michigan. I want to prophesy that that is not time enough, and you will not get the force required for this service. I think, if you investigate recent legislation, you will find that wherever expert assistance is required you can not get it readily from the Civil Service Commission.

I dislike very much to interrupt the Senator from Nebraska, but I want to inquire why it is that we can not get practical men of experience for this service without going through the civil service in the first instance.

Mr. BURKETT. There are a good many reasons that were suggested, I will say, in the consideration of the bill. One reason perhaps more especially why these men should be under the civil service was that there might be a controversy between the railroads and labor organizations, or something of that sort. That question was raised, and it seemed best that the men should be appointed after an examination under civil service so that they would be entirely removed from any necessity of recommendations from any organization or any body of men.

Mr. SMITH of Michigan. I can not imagine why there should be any conflict between the organizations of labor and the transportation companies for this service. All other train service in the country will be performed in the usual way and every department is unionized, I think.

My reason for rising now is not to antagonize the bill, which has merit, but the Civil Service Commission attempted to get an inspector of hulls in Michigan several years ago and men of experience in sailing and who understood their business and had years of practical knowledge in that work were all precluded from it by age or otherwise, while a young lad fresh from school, without any experience whatever, was appointed to the task of inspecting hulls, and inexperienced men should not be chosen for this service.

Mr. BURKETT. If the Senator will read the pending bill he will see that is guarded against. It provides that the men must have had practical experience.

Mr. CUMMINS. I think the Senator from Michigan misunderstands the provision. It is expected under this law that there shall be a special list prepared from which the appointments must be made. The appointments can not be made from the lists now already in use by the Civil Service Commission, as the Senator can very well perceive.

Mr. SMITH of Michigan. I suppose the Senator means that the qualifications necessary will be set forth in the regulations of the bureau.

Mr. CUMMINS. No; the Senator will notice that this is the language:

Said inspectors shall be in the classified service and shall be appointed after competitive examination according to the law and the rules of the Civil Service Commission governing the classified service.

Then, after fixing the salary, the bill provides:

In order to obtain the most competent inspectors possible, it shall be the duty of the chief inspector to prepare a list of questions to be propounded to applicants with respect to construction, repair, operation, testing, and inspection of locomotive boilers, and their experience in such work, which list, being approved by the Interstate Commerce Commission, shall be used by the Civil Service Commission as a part of its examination.

That, of course, presupposes that the Civil Service Commission must open up a new examination for men eligible to appointment to district inspectors, and such questions as I have indicated must be put.

Mr. SMITH of Michigan. I understand, Mr. President, but the civil-service law absolutely precludes men who have passed 45 years of age from entering into competitive examination. Men of experience who have been tried and trusted in employments of this character, who happen to have passed over this arbitrary line, are absolutely excluded from this service. It seems to me that, in the first instance, men should be chosen because of their fitness for this special service. They should be designated from fields of practical knowledge in this work; they should be men of experience and character; and I can see

no reason why their appointment should be made in this way; neither would I make them the football of party spoils. Who knows how many men are to be employed in this service?

Mr. CUMMINS. They are designated here.

Mr. SMITH of Michigan. Yes; but that is the first allotment. If that is not enough to do this work, so that it may be performed satisfactorily and promptly and safely, it will be increased, and responsibility that has hitherto fallen upon the carrier will fall upon the Government, and it must be thoroughly done.

Mr. President, I do not desire to antagonize the bill. I think it is wholesome and has an object worthy of our approval; but I can not believe that you will get the best results or that you will start this service upon any higher standard by establishing a purely competitive basis for candidates.

However, I do not intend to move to strike that provision out. We have not escaped partisanship or favoritism by this method of appointment to the public service. Behind this self-imposed barricade petty politics exists in its most flagrant form, and cliques and factions dominate the system, and promotions and authority come largely by favor and seldom by merit. The service is fast becoming autocratic and unbearable, and its beneficiaries have wandered far from the original intent and purpose of the law. The spoils system was burdensome and we properly shrank from it, but this system is fast becoming intolerable; favoritism and disrespect for every other branch of the Government service is its growing characteristic, as unrepugnant as it is relentless in its purpose to advance and perpetuate its devotees. They no longer ask for increased compensation; they demand it and parcel it out to favorites with reckless indifference to merit, and we continue to clothe them with additional power and augment their numbers from year to year. Perhaps this is the best system that has yet been devised, but it should be thoroughly overhauled and its irregularities corrected.

I shall not make any motion to take the appointment of these employees out of the civil service, but I am not at all satisfied that the best service will be obtained in this way.

Mr. LODGE. Mr. President, this bill is, it seems to me, not only a very important bill, but one which will be of very great value to the public and do much to protect human life. It seems to me the duties imposed on the inspectors are very important and responsible. They are like the duties now fulfilled by the inspectors of steam boilers on steam vessels. The bill requires that they shall be men of experience, and it is inconceivable that any board would take inexperienced men; but if it is left open, so that political considerations will come in, and, what I think is far more important, the pressure of the people who are to be inspected—that is, the railroads—we shall get in that way a class of inspectors who, I think, will hardly fulfill the purposes of the bill. I think that the purposes of the bill will be best subserved by putting the inspectors under the provisions now in the bill, which, it seems to me, have been very wisely drawn. I observe that the questions are to be set forth by the chief inspector and that his list of questions is to be submitted by the Civil Service Commission. It is inconceivable that a chief inspector, holding a position of that great responsibility, and appointed by the President, should do otherwise than make sure that his subordinates, upon whom the entire success of his office depends, should be men of experience, of activity, and vigor, and capable of performing this most important service.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### REGENTS OF SMITHSONIAN INSTITUTION.

Mr. LODGE. I introduce a joint resolution, and ask unanimous consent for its immediate consideration.

The joint resolution (S. J. Res. 133) providing for the filling of a vacancy to occur January 23, 1911, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress, was read the first time by its title, and the second time at length, as follows:

*Resolved, etc.,* That the vacancy which will occur on January 23, 1911, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress shall be filled by the reappointment of James B. Angell, of Michigan, whose term of office will expire on that date.

The PRESIDING OFFICER (Mr. KEAN in the chair). Is there objection to the present consideration of the joint resolution?

There being no objection the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### REVISION OF THE LAWS RELATING TO THE JUDICIARY.

Mr. HEYBURN. Mr. President, for the purpose of offering an amendment, which is quite extensive, I ask that Senate bill 7031 may now be laid before the Senate. I desire to offer an amendment, and to have it printed and laid on the table.

The VICE PRESIDENT. Without objection, the Chair lays before the Senate a bill, the title of which will be stated by the Secretary.

The SECRETARY. A bill (S. 7031) to codify, revise, and amend the laws relating to the judiciary.

Mr. HEYBURN. Mr. President, I especially call the attention of Senators to this amendment, because each Senator is interested directly in it. When this bill was under consideration we passed over chapter 5, which relates to the enumeration and creation of judicial districts in the United States, because there had been some laws enacted that changed the then existing status of the bill. I have now had the bill corrected to conform to the existing conditions. I offer the amendment and a memorandum to accompany it, and ask that it be printed. It will then be laid upon the desks of Senators, so that when the matter comes up, as it will doubtless at an early day, they will have had time to investigate the accuracy of the amendment. I particularly call the attention of the Senator from Georgia [Mr. BACON] to the matter.

The VICE PRESIDENT. Without objection, the request will be complied with.

#### CHINESE SUBJECTS AS STUDENTS AT WEST POINT.

Mr. WARREN. Mr. President, I wish to call up the joint resolution (S. J. Res. 131) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point two Chinese subjects, to be designated hereafter by the Government of China. The joint resolution was read yesterday, and, after being considered, was laid aside. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution.

The VICE PRESIDENT. The joint resolution has already been read.

Mr. BACON. I should like to inquire of the Senator from Wyoming whether or not the joint resolution, if it becomes a law, will practically put it within the power of the Chinese Government at all times, until there shall be further action taken by this Government, to nominate and have appointed to our Military Academy two cadets, or does it relate to a particular time.

Mr. WARREN. It distinctly allows two to be appointed for a term, which is a matter of courtesy.

Mr. BACON. That is not an answer to the question I asked. The Senator from Wyoming did not understand what I said. I asked whether this is an indefinite authority for the future, or whether it relates to any particular appointments.

Mr. WARREN. It relates to two particular appointments that may be made, and does not establish any general law, or, for that matter, any precedent.

Mr. BACON. It is limited to two, and is not a continuing authority for other appointments?

Mr. WARREN. It is not.

Mr. BACON. That is all I wanted to know.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 12 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 11, 1911, at 12 o'clock meridian.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate January 10, 1911.*

##### CONSUL.

Marion Letcher to be consul at Chihuahua, Mexico.

##### ASSISTANT COLLECTOR OF CUSTOMS.

Frank F. Patterson to be assistant collector of customs for the port of Camden, N. J., in the district of Philadelphia, Pa.



## PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Richard A. Kearny to be assistant surgeon in the Public Health and Marine-Hospital Service.

## RECEIVER OF PUBLIC MONEYS.

Benjamin C. Barbor to be receiver of public moneys at Lewiston, Idaho.

## REGISTER OF LAND OFFICE.

Henry W. Kiefer to be register of the land office at Blackfoot, Idaho.

## PROMOTIONS IN THE ARMY.

## CAVALRY ARM.

Second Lieut. Talbot Smith to be first lieutenant.

## INFANTRY ARM.

First Lieut. William S. Mapes to be captain.

## MEDICAL RESERVE CORPS.

Robert Skelton to be first lieutenant.

## COAST ARTILLERY CORPS.

Second Lieut. Walter P. Boatwright to be first lieutenant.

## POSTMASTERS.

## ALABAMA.

Thomas B. McNaron, Albertville.

## ARIZONA.

Jacob N. Cohenour, Kingman.

## COLORADO.

Anna Allert, Louisville.  
John A. Bunker, Paonia.  
Thomas Burns, Olathe.  
George A. Herrington, Montrose.  
Theodore E. Ickes, Center.  
W. Z. Kinney, Silverton.  
Lewis C. Lomax, Telluride.  
Eugene Reardon, Victor.  
George E. Rohrbough, Aspen.  
Newton W. Samson, Mancos.  
William Sherman Fisk, Meeker.  
William H. Woodruff, La Veta.

## DELAWARE.

James A. Hiron, Dover.

## IDAHO.

I. B. Evans, Preston.  
Uther Jones, Malad City.

## KANSAS.

J. T. Coles, Erie.  
Ewing Herbert, Hiawatha.  
Richard Waring, Abilene.

## MASSACHUSETTS.

Charles D. Brown, Gloucester.

## MICHIGAN.

Frank D. Ball, Crystal Falls.  
Lawson E. Becker, Fenton.  
Leonard M. Sellers, Cedar Springs.  
Timothy Smith, Howell.

## MINNESOTA.

John Chermak, Chatfield.

## NEBRASKA.

Samuel H. Weston, Dorchester.

## NEW JERSEY.

Augustus K. Gale, Westfield.

## NEW YORK.

Floyd S. Brooks, Ilion.  
Paul R. Clark, Auburn.  
Thomas J. Wintermute, Horseheads.

## OKLAHOMA.

W. S. Bell, Okmulgee.

## OREGON.

Renns A. Arnold, Toledo.  
Polk E. Mays, Joseph.  
William R. Olds, Grass Valley.  
Oliver P. Shoemaker, Newport.

## PENNSYLVANIA.

John E. Barrett, Scranton.  
Joseph M. Brothers, Knox.  
William G. Cochran, Woodlawn.  
Josiah R. Dodds, Franklin.

Frank N. Donahue, Carrolltown.  
Christmas E. Fitch, Wampum.  
Philip L. Freund, Arnold.  
James L. Greer, Stoneboro.  
Joseph T. Hemphill, Washington.  
Edgar C. Hummel, Hummelstown.  
James C. Jacobs, Burnham.  
Herman Long, New Cumberland.  
H. C. Snyder, Newville.  
Lynn G. Thomas, Canton.  
J. Wersler Thomson, Phoenixville.  
Robert B. Thompson, Freeport.  
Robert B. Thompson, Williamstown.

## RHODE ISLAND.

Arthur W. Stedman, Wakefield.

## WASHINGTON.

David M. Bender, Lynden.

## WISCONSIN.

Henry E. Blair, Waukesha.  
Platt Durand, Campbellsport.  
Paul L. Halline, De Pere.  
Robert V. Walker, Odanah.

## HOUSE OF REPRESENTATIVES.

TUESDAY, January 10, 1911.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read.

## CORRECTION.

Mr. AUSTIN. Mr. Speaker, the RECORD shows that I failed to vote yesterday on a roll call.

The SPEAKER. On which roll call?

Mr. AUSTIN. On ordering the previous question on the adoption of the rule. Page 693 of the RECORD this morning reports I was present and not voting. I never lose an opportunity to vote, Mr. Speaker.

The SPEAKER. Without objection, the correction will be made and the Journal will stand approved.

There was no objection.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 115) for the relief of Marcellus Troxell.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested.

S. 431. An act to reimburse the Southern Pacific Co. the amounts expended by it from December 1, 1906, to November 30, 1907, in closing and controlling the break in the Colorado River;

S. 2430. An act for the relief of the heirs of John W. West, deceased;

S. 3898. An act for the relief of the heirs of Lieut. R. B. Calvert, deceased;

S. 7373. An act for the relief of volunteer officers and soldiers who served in the Philippine Islands under the act approved March 2, 1899; and

S. 9449. An act to provide a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln.

## ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 6867. An act to authorize the city of Sturgis, Mich., to construct a dam across the St. Joseph River;

H. R. 24786. An act to refund certain tonnage taxes and light dues; and

H. R. 25775. An act to authorize the Great Northern Development Co. to construct a dam across the Mississippi River from a point in Hennepin County to a point in Anoka County, Minn.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 115. An act for the relief of Marcellus Troxell; and

S. 3904. An act for the relief of the Merritt & Chapman Derrick & Wrecking Co.